

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRADLEY JOHN BELLISARIO

Appellant,

v.

EMILY BELLISARIO,

Respondent.

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Elizabeth A. Brown
Clerk of Supreme Court

Supreme Court No.: 84128

District Court No.: D605263

**APPEAL FROM FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
DECREE OF DIVORCE**

Eighth Judicial District Court of the State of Nevada

In and for the County of Clark

THE HONORABLE MARY PERRY

DISTRICT COURT JUDGE

APPELLANT APPENDIX – VOL. 8 PART 1

Amy A. Porray, Esq.
Nevada Bar # 9596
McFarling Law Group
6230 W. Desert Inn Road
Las Vegas, NV 89146
Phone: (702) 565-4335
Fax: (702) 732-9385
eservice@mcfarlinglaw.com
*Attorney for Appellant,
Bradley John Bellisario*

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15	12/20/2021	Plaintiff's Exhibit 25	AA3681
15	12/20/2021	Plaintiff's Exhibit 26	AA3682-3720
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16	12/20/2021	Plaintiff's Exhibit 28	AA3800-3802
16	12/20/2021	Plaintiff's Exhibit 29	AA3803-3805
16	12/20/2021	Plaintiff's Exhibit 30	AA3806-3824
16	12/20/2021	Plaintiff's Exhibit 31	AA3825-3841
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16	12/20/2021	Plaintiff's Exhibit 58	AA3964-3966
16	12/20/2021	Plaintiff's Exhibit 59	AA3967-3971
16	12/20/2021	Plaintiff's Exhibit 60	AA3972-3982
16	12/20/2021	Plaintiff's Exhibit 61	AA3983-3984
16	12/20/2021	Plaintiff's Exhibit 62	AA3985
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17	12/20/2021	Plaintiff's Exhibit 106	AA4100-4102
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17	12/20/2021	Plaintiff's Exhibit 108	AA4124
17	12/20/2021	Plaintiff's Exhibit 109	AA4125-4177
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19	12/20/2021	Plaintiff's Exhibit 122	AA4606-4608
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2	12/01/2020	Affidavit of Sandra L. Pomrenze	AA0334-336
5	02/08/2021	Affidavit of Service	AA1044
8	03/03/2021	Affidavit of Service	AA1755
2	11/25/2020	Affidavit Regarding Grounds for Disqualification of Judge	AA0327-333
6	02/10/2021	Affidavit Regarding Grounds for Disqualification of Judge	AA1272-1351
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5	02/07/2021	Bradley Bellisario's Financial Disclosure Form	AA1034-1040
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7	03/02/2021	Order Shortening Time	AA1745-1747
3	01/11/2021	Peremptory Challenge	AA0582-583
14	12/20/2021	Plaintiff's Exhibit 1	AA3477-3480
15	12/20/2021	Plaintiff's Exhibit 10	AA3540-3546
17	12/20/2021	Plaintiff's Exhibit 100	AA4079-4080
17	12/20/2021	Plaintiff's Exhibit 101	AA4081-4082
17	12/20/2021	Plaintiff's Exhibit 102	AA4083-4087
17	12/20/2021	Plaintiff's Exhibit 103	AA4088-4097
17	12/20/2021	Plaintiff's Exhibit 105	AA4098-4099
17	12/20/2021	Plaintiff's Exhibit 106	AA4100-4102
17	12/20/2021	Plaintiff's Exhibit 107	AA4103-4123
17	12/20/2021	Plaintiff's Exhibit 108	AA4124
17	12/20/2021	Plaintiff's Exhibit 109	AA4125-4177
15	12/20/2021	Plaintiff's Exhibit 11	AA3547-3556
17	12/20/2021	Plaintiff's Exhibit 110	AA4178-4192
17	12/20/2021	Plaintiff's Exhibit 111	AA4194-4205
17-18	12/20/2021	Plaintiff's Exhibit 112	AA4206-4267
18	12/20/2021	Plaintiff's Exhibit 113	AA4268-4319
18	12/20/2021	Plaintiff's Exhibit 114	AA4320-4339
18	12/20/2021	Plaintiff's Exhibit 115	AA4340-4355

18	12/20/2021	Plaintiff's Exhibit 116	AA4356-4415
18	12/20/2021	Plaintiff's Exhibit 117	AA4416-4495
18-19	12/20/2021	Plaintiff's Exhibit 118	AA4496-4541
19	12/20/2021	Plaintiff's Exhibit 119	AA4542-4559
15	12/20/2021	Plaintiff's Exhibit 12	AA3557-3580
19	12/20/2021	Plaintiff's Exhibit 120	AA4560-4603
19	12/20/2021	Plaintiff's Exhibit 121	AA4604-4605
19	12/20/2021	Plaintiff's Exhibit 122	AA4606-4608
19	12/20/2021	Plaintiff's Exhibit 123	AA4609-4613
19	12/20/2021	Plaintiff's Exhibit 124	AA4614-4617
15	12/20/2021	Plaintiff's Exhibit 13	AA3580-3591
15	12/20/2021	Plaintiff's Exhibit 14	AA3592-3602
15	12/20/2021	Plaintiff's Exhibit 15	AA3603-3613
15	12/20/2021	Plaintiff's Exhibit 16	AA3614-3625
15	12/20/2021	Plaintiff's Exhibit 17	AA3626-3638
15	12/20/2021	Plaintiff's Exhibit 18	AA3639-3646
15	12/20/2021	Plaintiff's Exhibit 19	AA3647-3653
14	12/20/2021	Plaintiff's Exhibit 2	AA3481-3488
15	12/20/2021	Plaintiff's Exhibit 20	AA3654-3659

15	12/20/2021	Plaintiff's Exhibit 21	AA3660-3669
15	12/20/2021	Plaintiff's Exhibit 22	AA3670-3677
15	12/20/2021	Plaintiff's Exhibit 23	AA3678-3679
15	12/20/2021	Plaintiff's Exhibit 24	AA3680
15	12/20/2021	Plaintiff's Exhibit 25	AA3681
15	12/20/2021	Plaintiff's Exhibit 26	AA3682-3720
15-16	12/20/2021	Plaintiff's Exhibit 27	AA3721-3799
16	12/20/2021	Plaintiff's Exhibit 28	AA3800-3802
16	12/20/2021	Plaintiff's Exhibit 29	AA3803-3805
14	12/20/2021	Plaintiff's Exhibit 3	AA3489-3493
16	12/20/2021	Plaintiff's Exhibit 30	AA3806-3824
16	12/20/2021	Plaintiff's Exhibit 31	AA3825-3841
16	12/20/2021	Plaintiff's Exhibit 32	AA3842-3853
16	12/20/2021	Plaintiff's Exhibit 33 (video)	
16	12/20/2021	Plaintiff's Exhibit 34	AA3853-3859
16	12/20/2021	Plaintiff's Exhibit 35	AA3860-3862
16	12/20/2021	Plaintiff's Exhibit 36	AA3863-3864
16	12/20/2021	Plaintiff's Exhibit 37	AA3865-3866
16	12/20/2021	Plaintiff's Exhibit 38	AA3867-3869
16	12/20/2021	Plaintiff's Exhibit 39	AA3870-3873
14	12/20/2021	Plaintiff's Exhibit 4	AA3494-3497

16	12/20/2021	Plaintiff's Exhibit 40	AA3874-3935
16	12/20/2021	Plaintiff's Exhibit 41 (video)	
16	12/20/2021	Plaintiff's Exhibit 42	AA3937-3940
16	12/20/2021	Plaintiff's Exhibit 43 (video)	
16	12/20/2021	Plaintiff's Exhibit 44 (video)	
16	12/20/2021	Plaintiff's Exhibit 45A (video)	
16	12/20/2021	Plaintiff's Exhibit 45B (video)	
16	12/20/2021	Plaintiff's Exhibit 45C (video)	
14-15	12/20/2021	Plaintiff's Exhibit 5	AA3498-3508
16	12/20/2021	Plaintiff's Exhibit 53	AA3943-3945
16	12/20/2021	Plaintiff's Exhibit 54	AA3946
16	12/20/2021	Plaintiff's Exhibit 55	AA3947-3952
16	12/20/2021	Plaintiff's Exhibit 56	AA3953
16	12/20/2021	Plaintiff's Exhibit 57	AA3954-3963
16	12/20/2021	Plaintiff's Exhibit 58	AA3964-3966
16	12/20/2021	Plaintiff's Exhibit 59	AA3967-3971
15	12/20/2021	Plaintiff's Exhibit 6	AA3509-3515
16	12/20/2021	Plaintiff's Exhibit 60	AA3972-3982
16	12/20/2021	Plaintiff's Exhibit 61	AA3983-3984
16	12/20/2021	Plaintiff's Exhibit 62	AA3985
16	12/20/2021	Plaintiff's Exhibit 64	AA3986-3994
16	12/20/2021	Plaintiff's Exhibit 65	AA3995
16	12/20/2021	Plaintiff's Exhibit 66	AA3996-3997
16	12/20/2021	Plaintiff's Exhibit 67 (video)	
16	12/20/2021	Plaintiff's Exhibit 68 (video)	
16	12/20/2021	Plaintiff's Exhibit 69 (video)	

15	12/20/2021	Plaintiff's Exhibit 7	AA3516-3525
16-17	12/20/2021	Plaintiff's Exhibit 72	AA4000-4009
17	12/20/2021	Plaintiff's Exhibit 73	AA4010-4011
17	12/20/2021	Plaintiff's Exhibit 74	AA4012-4013
17	12/20/2021	Plaintiff's Exhibit 75	AA4014-4015
17	12/20/2021	Plaintiff's Exhibit 76	AA4016-4017
17	12/20/2021	Plaintiff's Exhibit 77	AA4018-4019
17	12/20/2021	Plaintiff's Exhibit 78	AA4020
17	12/20/2021	Plaintiff's Exhibit 79	AA4021
15	12/20/2021	Plaintiff's Exhibit 8	AA3526-3532
17	12/20/2021	Plaintiff's Exhibit 80	AA4022
17	12/20/2021	Plaintiff's Exhibit 82	AA4023-4026
17	12/20/2021	Plaintiff's Exhibit 83	AA4027-4030
17	12/20/2021	Plaintiff's Exhibit 84	AA4031-4035
17	12/20/2021	Plaintiff's Exhibit 89	AA4036-4064
15	12/20/2021	Plaintiff's Exhibit 9	AA3533-3539
17	12/20/2021	Plaintiff's Exhibit 91	AA4065-4068
17	12/20/2021	Plaintiff's Exhibit 92	AA4069
17	12/20/2021	Plaintiff's Exhibit 94	AA4070
17	12/20/2021	Plaintiff's Exhibit 97	AA4071
17	12/20/2021	Plaintiff's Exhibit 98	AA4072-4078
14	11/19/2021	Plaintiff's Initial List of Witnesses	AA3438-3445

20	12/21/2021	Plaintiff's Notice of Filing Exhibits Under Seal Exhibit "124"	AA4863-4865
9	03/30/2021	Plaintiff's Opposition to Defendant's Motion for a Protective Order; and Countermotion for Attorney's Fees and Costs and Related Relief	AA2121-2135
14	11/19/2021	Plaintiff's Pre-Trial Memorandum	AA3414-3437
14	12/20/2021	Plaintiff's Trial Exhibit List with Exhibits Offered/Admitted/Denied/Objections	AA3460-3476
2	04/29/2020	Reply to Counterclaim	AA0301-303
7	02/23/2021	Reply to Judge Mary Perry's Response to Defendant's Motion to Disqualify Judge	AA1662-1670
2	04/29/2020	Reply to Opposition	AA0268-283
8	03/04/2021	Reply to Opposition to Defendant's Motion to Disqualify Judge Pursuant to NCJC 2.11; Countermotion for Award of Attorney's Fees and Costs	AA1756-1797
10-11	04/29/2021	Reply to Plaintiff's Opposition to Defendant's Motion for Relief From Order After Hearing Regarding Hearing on January 25, 2021 and Motion for Leave to File Renewed Motion to Disqualify Judge Mary Perry; and Countermotion for Leave of Court to Refinance, to Deem Defendant Vexatious Litigant, Waive Donna's House Fees, and for an Award of Attorney's Fees and Costs	AA2479-2508
11	04/29/2021	Reply to Plaintiff's Opposition to Defendant's Motion to Reconsider Order Against Domestic Violence Entered April 6, 2021; and Countermotion for An Award of Attorney's Fees and Costs	AA2509-2516
13	05/17/2021	Reply to Plaintiff's Opposition to Defendant's Motion to Remove S.C.R.A.M. Device; And Opposition to Plaintiff's Motion to Drug Test Defendant, for an Award of Attorney's Fees and Costs, and Related Relief	AA3004-3013
7	02/16/2021	Response to Defendant's Motion to Disqualify Judge	AA1549-1554

5	02/05/2021	Schedule of Arrears for Child Support With Confirmation Pursuant to EDCR 5.508	AA1004-1013
5	02/05/2021	Schedule of Arrears for Temporary Support with Confirmation Pursuant to EDCR 5.508	AA1014-1021
2	06/10/2020	Stipulation and Order dated June 10, 2020	AA0304-307
12	05/10/2021	Supplemental [sic] to Opposition to Defendant's Motion for Relief from Order After Hearing Regarding the Hearing on January 25, 2021, and Motion for Leave to File a Renewed Motion to Disqualify Judge Perry and Countermotion for Leave of Court to Refinance, to Deem Defendant a Vexatious Litigant, Waive Donna's House Fees, and for an Award of Attorney's Fees and Costs	AA2779-2785
13	05/18/2021	Transcript from Hearing on May 18, 2021 re: All Pending Motions	AA3026-3069
19-20	12/20/2021	Transcript From Non-Jury Trial on December 20, 2021	AA4618-4862
14	09/16/2021	Transcript From September 16, 2021, Hearing re: Return Hearing	AA3354-3361
9-10	04/06/2021	Transcript re: April 6, 2021, Hearing on All Pending Motions	AA2175-2270
13	06/16/2021	Transcript re: Court Hearing on June 16, 2021, at 10:00 a.m. re: All Pending Motions	AA3159-3165
7	02/11/2021	Transcript re: Hearing on February 11, 2021, on All Pending Motions	AA1546-1548
4	01/25/2021	Transcript re: Hearing on January 25, 2021, Status Check	AA0859-863
14	07/07/2021	Transcript re: Hearing on July 7, 2021 re: All Pending Motions	AA3257-3265
9	03/17/2021	Transcript re: Hearing on Motion to Compel Discovery on March 17, 2021	AA2067-2081
10	04/07/2021	Transcript re: Hearing re: Status Check	AA2273-2284
8	03/04/2021	Transcript re: March 4, 2021, Court Hearing on All Pending Motions	AA1799-1816
12	05/11/2021	Transcripts from May 11, 2021, Hearing re: Return Hearing	AA2791-2807

CERTIFICATE OF SERVICE

I, an employee of McFarling Law Group, hereby certify that on the 8th day of April, 2022, I served a true and correct copy of this Appellant's Appendix Volume 8 Part 1 as follows:

☒ via the Supreme Court's electronic filing and service system (eFlex):

Amanda Roberts, Esq.
efile@lvfamilylaw.com

/s/ Crystal Beville
Crystal Beville

1 Related Relief, is hereby shortened to the 4th day of March,
2 2021, at 10:30 a.m./~~p.m.~~

3
4 IT IS SO ORDERED.

Dated this 2nd day of March, 2021

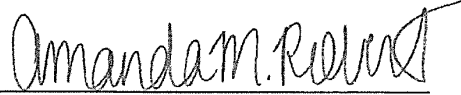


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7 Respectfully submitted this 20th
8 day of February, 2021.

E89 B1E 9CA2 CC2E
Linda Marie Bell
District Court Judge

9
10 **ROBERTS STOFFEL FAMILY
LAW GROUP**

11
12 By:



13 Amanda M. Roberts, Esq.
14 State Bar of Nevada No. 9294
15 4411 South Pecos Road
16 Las Vegas, Nevada 89121
17 PH: (702) 474-7007
18 FAX: (702) 474-7477
19 EMAIL: efile@lvfamilylaw.com
20 Attorneys for Plaintiff, Emily Bellisario
21
22
23
24
25
26
27
28

1 CSERV

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA
4

5
6 Emily Bellisario, Plaintiff

CASE NO: D-20-605263-D

7 vs.

DEPT. NO. Department P

8 Bradley John Bellisario,
9 Defendant.

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Order Shortening Time was served via the court's electronic eFile
system to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 3/2/2021

15 Amanda Roberts

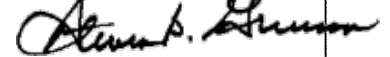
efile@lvfamilylaw.com

16 Bradley Bellisario

bradb@bellisariolaw.com

17 Bradley Bellisario

bradb@bellisariolaw.com



1 CSERV

2 Amanda M. Roberts, Esq.

3 State Bar of Nevada No. 9294

4 **ROBERTS STOFFEL FAMILY LAW GROUP**

5 4411 S. Pecos Road

6 Las Vegas, Nevada 89121

7 PH: (702) 474-7007

8 FAX: (702) 474-7477

9 EMAIL: efile@lvfamilylaw.com

10 Attorneys for Plaintiff, Emily Bellisario

11 **DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 EMILY BELLISARIO,

) Case No: D-20-605263-D

) Dept No: P

14 Plaintiff,

)

15 v.

)

CERTIFICATE OF SERVICE

)

16 BRADLEY BELLISARIO,

)

)

17 Defendant.

)

)

)

18 I hereby certify that I am an employee of Roberts Stoffel Family Law Group,

19 and on the 2nd day of March, 2021, I served by and through Wiz-Net electronic

20 service, pursuant to Clark County District Court Administrative Order 14-2 for

21 service of documents identified in Rule 9 of the N.E.F.C.R., the foregoing to

22 Defendant through eservice to bradb@bellisariolaw.com:

23 (1.) Notice of Entry of Order Shortening Time;

24 (2.) Ex Parte Application for Order Shortening Time; and

25 \\\

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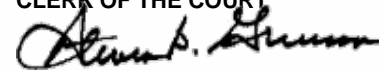
- (3.) Opposition To Defendant's Motion To Disqualify Judge
Pursuant To NCJC 2.11 (Formerly NCJC 3e); and
Countermotion For An Award Of Attorney's Fees And Costs
And Related Relief; and
- (4.) Exhibits to Plaintiff's Opposition To Defendant's Motion To
Disqualify Judge Pursuant To NCJC 2.11 (Formerly NCJC
3e); and Countermotion For An Award Of Attorney's Fees
And Costs And Related Relief.

By: Amanda M. Roberts
Employee of Roberts Stoffel Family Law Group

AOS

**DISTRICT COURT , CLARK COUNTY
CLARK COUNTY, NEVADA**

Electronically Filed
3/3/2021 12:48 PM
Steven D. Grierson
CLERK OF THE COURT



EMILY BELLISARIO

Plaintiff

CASE NO: D-20-605263-D

VS

HEARING DATE/TIME:

BRADLEY BELLISARIO

Defendant

DEPT NO:

AFFIDAVIT OF SERVICE

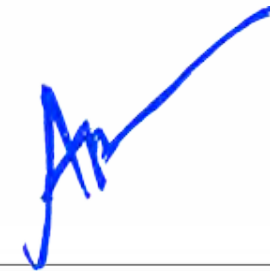
ALYSSA RAKOWSKY being duly sworn says: That at all times herein affiant was and is a citizen of the United States, over 18 years of age, not a party to or interested in the proceedings in which this affidavit is made. That affiant received 1 copy(ies) of the OPPOSITION TO MOTION TO DISQUALIFY; EXHIBITS TO MOTION TO DISQUALIFY; NOTICE OF ENTRY OF ORDER SHORTENING TIME; AND EX PARTE APPLICATION FOR OST., on the 2nd day of March, 2021 and served the same on the 2nd day of March, 2021, at 19:15 by:

delivering and leaving a copy with the servee BRADLEY BELLISARIO at (address) 7100 Grand Montecito Parkway, #2054, Las Vegas NV 89149

Pursuant to NRS 53.045

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

EXECUTED this 02 day of Mar, 2021.

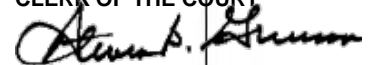


**ALYSSA RAKOWSKY
R-2019-08545**

Junes Legal Service, Inc. - 630 South 10th Street - Suite B - Las Vegas NV 89101 - 702.579.6300 - fax 702.259.6249 - Process License #1068

EP245466 BELLISARIO

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1 **RPLY**

2 **BRADLEY J. BELLISARIO**
3 7100 Grand Montecito Pkwy, #2054
4 Las Vegas, NV 89149
5 T: (702) 936-4800
6 F: (702) 936-4801
7 E: BradB@BellisarioLaw.com
8 *Defendant Pro Se*

6 **DISTRICT COURT**

7 **CLARK COUNTY, NEVADA**

9 **EMILY BELLISARIO,**
10 **Plaintiff,**

Case No.: D-20-605263-D
Dept No.: P

11 **vs.**

12 **BRADLEY BELLISARIO,**
13 **Defendant**

**REPLY TO PLAINTIFF'S OPPOSITION
TO DEFENDANT'S MOTION TO
DISQUALIFY JUDGE PURSUANT TO
NCJC 2.11 (FORMERLY NCJC 3E); AND
COUNTERMOTION FOR AN AWARD
OF ATTORNEY'S FEES AND COSTS
AND RELATED RELIEF**

16
17 **COMES NOW** Bradley J. Bellisario, the Defendant in proper person, and files this Reply
18 to Plaintiff's Opposition to Defendant's Motion to Disqualify Judge Pursuant to NCJC 2.11
19 (Formerly NCJC 3E); and Countermotion for an Award of Attorney's Fees and Costs and Related
20 Relief.

21 *///*

22 *///*

23 *///*

24 *///*

25 *///*

26 *///*
27
28 **REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISQUALIFY JUDGE PURSUANT
TO NCJC 2.11 (FORMERLY NCJC 3E); AND COUNTERMOTION FOR AN AWARD OF ATTORNEY'S FEES
AND COSTS AND RELATED RELIEF - 1**

1 This Reply is made in good faith and is based on the attached Points and Authorities,
2 Declaration of Movant, the papers and pleadings on file herein, and such further evidence and
3 argument that may be requested.
4

5 DATED this 4 day of February, 2021.

6
7 /s/ Bradley J. Bellisario
8 Bradley Bellisario
9 7100 Grand Montecito Pkwy, #2054
10 Las Vegas, NV 89149
11 T: 309.397.6734
12 F: 702.936.4801
13 E: bradb@bellisariolaw.com
14 *Defendant Pro Se*

15 **POINTS AND AUTHORITIES**

16 **STATEMENT OF FACTS**

17 Once again Plaintiff's unethical Counsel, Amanda Roberts, is attempting provide
18 intentional misrepresentations of material fact and confuse the court with irrelevant information to
19 this hearing. Let's be clear about what this hearing is about, the disqualification of Ms. Roberts'
20 close, personal friend, Judge Mary Perry. There is ample evidence to demonstrate the appearance
21 of questionable impartiality, as well as evidence to demonstrate actual bias by Judge Mary Perry.
22 Judge Perry violated numerous cannons of judicial conduct, held an ex parte hearing, came to legal
23 conclusions without a hearing with both parties, demonstrated that she had a predetermined
24 outcome of matters without hearing or motion, and made prejudicial statements against Defendant.

25 There have been four (4) hearings in this matter, three (3) of which at some point addressed
26 custody. Those three (3) hearings occurred on July 30, 2020, October 22, 2020 and November 24,
27

28 REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISQUALIFY JUDGE PURSUANT
TO NCJC 2.11 (FORMERLY NCJC 3E); AND COUNTERMOTION FOR AN AWARD OF ATTORNEY'S FEES
AND COSTS AND RELATED RELIEF - 2

1 2020. However, Defendant and her Counsel have engaged in a pattern of conduct to commit fraud
2 upon this court and deprive Defendant of due process.

3 Most importantly Emily and her unethical Counsel, Amanda Roberts (who is a close
4 personal friend of Judge Mary Perry), have unethically and intentionally refused to file Orders
5 regarding the hearings on July 30, 2020 and October 22, 2020. They have done so in order to
6 deprive Defendant of due process and deny Defendant the ability to request rehearing and
7 reconsideration of Orders. Additionally, since Emily and her unethical Counsel, Amanda Roberts,
8 refused to prepare and file Orders, Defendant has been unable to request that this Honorable Court
9 enforce court Orders and find Emily in Contempt for intentionally failing to abide by custody
10 agreements and orders.
11

12
13 Emily and her unethical Counsel, Amanda Roberts, did however, find time to prepare and
14 file an Order after the November 24, 2020 hearing. They did so on November 25, 2020 without
15 first submitting the Order to Defendant pursuant to EDCR 5.22(a)(1). "Notwithstanding the
16 directives of any local rule...[t]he party obtaining an order, judgment, or decree shall have 7 days
17 to prepare it and request the countersignature of the opposing party as to its form and content."
18 The unethical Amanda Roberts specifically refused to pass the Order to Defendant as the Order
19 contained numerous intentional misrepresentations of material fact, and the Order attempted to
20 confirm previous Orders which had never been filed. Defendant has motioned for relief from the
21 November 24, 2020 Order as Judge Pomrenze did not have jurisdiction to sign the Order, and the
22 Order was procured through fraud upon this Honorable Court.
23
24

25 Although Emily and her unethical Counsel, Amanda Roberts, filed the Order from the
26 November 24, 2020 hearing the day after without passing the Order to Defendant pursuant to local
27

28
REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISQUALIFY JUDGE PURSUANT
TO NCJC 2.11 (FORMERLY NCJC 3E); AND COUNTERMOTION FOR AN AWARD OF ATTORNEY'S FEES
AND COSTS AND RELATED RELIEF - 3

1 court rules, they inexcusably, and intentionally, failed to filed Orders regarding the July 30, 2020
2 and October 22, 2020 hearings until January of 2021!! Specifically, Emily and her unethical
3 Counsel, Amanda Roberts, caused to have filed repeated false police reports until they were able
4 to have Defendant wrongfully arrested on January 23, 2021 as Defendant was returning the three
5 (3) minor children from visitation.
6

7 Specifically, Emily's unethical Counsel, Amanda Roberts, was in contact with the Clark
8 County District Attorney's office and pressured the Clark County District Attorney (hereinafter
9 referred to as "CCDA") to file knowingly false charges against Defendant. Upon information and
10 belief, the unethical Amanda Roberts was informed by the CCDA's office that they would seek an
11 arrest warrant on January 20, 2021. On January 20, 2021 the unethical Amanda Roberts filed the
12 Order From the October 22, 2020 Hearing. On January 21, 2021 upon information and belief, the
13 unethical Amanda Roberts was informed an arrest warrant had been issued regarding Emily's false
14 claim of violation of Extended Order for Protection. On January 22, 2021 the unethical Amanda
15 Roberts filed the Notice of Entry of Order from the October 22, 2020 Hearing. Additionally,
16 Emily's unethical Counsel, Amanda Roberts, then submitted the Order from the July 30, 2020
17 Hearing on January 22, 2021, which was quickly signed by her close personal friend, Judge Mary
18 Perry, seemingly without any oversight or review as to the contents of the Order.
19
20

21 On January 23, 2021 as Defendant returned the three (3) minor children from normally
22 scheduled visitation, Emily had police officers waiting to arrest Defendant for an alleged violation
23 of Extended Order from Protection which supposedly occurred on June 11, 2020. However, the
24 parties had previously stipulated to dissolve the Extended Order for Protection on January 7, 2020.
25 Emily had even attempted to hold Defendant in contempt of said Extended Order of Protection on
26
27

28
REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISQUALIFY JUDGE PURSUANT
TO NCJC 2.11 (FORMERLY NCJC 3E); AND COUNTERMOTION FOR AN AWARD OF ATTORNEY'S FEES
AND COSTS AND RELATED RELIEF - 4

1 March 12, 2020, however, the Court found that Emily admitted that she stipulated to dissolve the
2 TPO and acted in accordance with such dissolution, as such the TPO case was closed. However,
3 subsequent to the March 12, 2020 hearing Emily filed several false police reports claiming that the
4 TPO was active, despite having actual knowledge that the TPO had been dissolved by the parties.
5 Including a police report filed September 17, 2020 (the last day the EPO was originally set to
6 terminate prior to dissolution) which contained no allegation of any events close in proximity to
7 September 17, 2020.
8

9 On January 24, 2021, **THE DAY AFTER DEFENDANT WAS WRONGFULLY**
10 **ARRESTED**, Emily's unethical Counsel, Amanda Roberts, submitted the Order From the July 30,
11 2020 Hearing for signature from her close personal friend, Judge Mary Perry, and a Notice of
12 Entry of Order From the July 30, 2020 Hearing was filed on January 25, 2021. A simple
13 computation shows that is **ONE HUNDRED SEVENTY-NINE (179)** days after the hearing on
14 July 30, 2020!!! **179 DAYS!!!** Not coincidentally, the submittal of Orders only came when Emily
15 and her unethical Counsel, Amanda Roberts, knew Defendant was about to be arrested.
16 Additionally, Emily and her unethical Counsel, Amanda Roberts, knew that given Covid-19 house
17 arrest limitations, Defendant would be incarcerated for some time, and would likely not have an
18 opportunity to file for rehearing or reconsideration relief before time to do so expired.
19
20

21 Emily and her unethical Counsel, Amanda Roberts, had significant motive to delay
22 submission of the Orders and attempt to deprive Defendant of his due process. The Orders from
23 all three (3) hearings regarding custody contain numerous intentional misrepresentations of
24 material fact (FRAUD), aimed at imposing unordered terms, and creating findings of fact on the
25 record that never existed to benefit Emily and her unethical Counsel, Amanda Roberts.
26
27

28 REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISQUALIFY JUDGE PURSUANT
TO NCJC 2.11 (FORMERLY NCJC 3E); AND COUNTERMOTION FOR AN AWARD OF ATTORNEY'S FEES
AND COSTS AND RELATED RELIEF - 5

1 As of this date, Defendant has filed for NRCP 60 relief from all Orders, as such Orders are
2 the clear product of fraud upon this Court by Emily and her unethical Counsel, Amanda Roberts.

3 On January 25, 2021 the parties were scheduled to have their first hearing in front of newly
4 assigned Judge Mary Perry. Plaintiff and Plaintiff's counsel conspired to have Defendant arrested
5 such that Defendant would not be available for said hearing and such that Defendant would not
6 be afforded due process to seek relief from fraudulently procured Orders regarding the parties'
7 hearings on July 30, 2020 and October 22, 2020.

8 During the status check on January 25, 2021 Judge Mary Perry initiated, and Plaintiff's
9 unethical Counsel, Amanda Roberts, unethically chose to continued ex parte arguments to the
10 Judge. Specifically, Judge Perry requested of Ms. Roberts why Defendant was incarcerated. Ms.
11 Roberts responded he's incarcerated "for the domestic violence against my client, your Honor,
12 which occurred on June 11, 2020." (See Video from January 25, 2021 Status Check). Ms. Roberts
13 statements to Judge Perry are intentional misrepresentations of material fact, constituting fraud
14 upon the court, and violating the Nevada Rules of Professional Conduct. Defendant was not
15 arrested for domestic violence, rather Defendant was wrongfully arrested for alleged violations
16 of an Extended Order of Protection which had already been dissolved by the parties. The charge
17 has since been dropped as the Court agreed it was a wrongful arrest. Additionally, it appears that
18 Ms. Roberts had ex parte communications with the Court claiming that Defendant was drinking.
19 Judge Perry inexplicably states he [Defendant] "definitely needs to dry out first." (See Video
20 from January 25, 2021 Status Check). However, Defendant has not consumed any alcohol for
21 months as evidenced by a clean SCRAM history and at no time during the hearing was alcohol
22 mentioned.

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REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISQUALIFY JUDGE PURSUANT
TO NCJC 2.11 (FORMERLY NCJC 3E); AND COUNTERMOTION FOR AN AWARD OF ATTORNEY'S FEES
AND COSTS AND RELATED RELIEF - 6

1 Since Defendant's wrongful arrest on January 23, 2021, Emily has illegally, and without
2 any good cause, refused Defendant's visitation with all three (3) minor children. Literally nothing
3 has happened between Emily and Defendant since January 23, 2021 (nor any time in proximity)
4 when the parties had been exchanging the children nearly every Saturday.
5

6 On February 13, 2021 LVMPD contacted Emily who refused to exchange custody of the
7 children. While on the phone with LVMPD Emily claimed that Defendant had broken things in
8 the house (September 2019, long before any Court hearing and visitation schedules), she also
9 claimed she didn't know if Defendant was blacked out (to which the police officer stated nope he's
10 standing right here drinking a coffee). Emily is also informed that Defendant has been wearing a
11 SCRAM bracelet since October 2020, with no incident and Defendant has voluntarily placed an
12 interlock device on his vehicle. Emily then informed the Officer she did not want the Officer
13 coming to her house to talk to her. LVMPD gave Defendant a Police Contact Card (Red Card) for
14 the incident. LVMPD then went to Emily's house and Defendant is unaware of the contents of
15 that conversation if Emily had contact with the officer. However, the Officer did follow-up with
16 Defendant the next week, gathering information regarding the children, and informing Defendant
17 that LVMPD was referring the case to missing persons due to the Officer's report and interaction
18 with Emily.
19

20
21 On February 20, 2021 LMVPD arrived for a standby of the custody exchange. LVMPD
22 went to Emily's house and Emily was not there, nor were the children. LVMPD then tried to make
23 contact with Emily via telephone, however, Emily refused to answer her phone. LVMPD once
24 again gave me a Police Contact Card (Red Card) for the incident.
25
26

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28 REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISQUALIFY JUDGE PURSUANT
TO NCJC 2.11 (FORMERLY NCJC 3E); AND COUNTERMOTION FOR AN AWARD OF ATTORNEY'S FEES
AND COSTS AND RELATED RELIEF - 7

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LEGAL ARGUMENT

1. Defendant's Motion to Disqualify Mary Perry Should be Granted

NCJC 2.11 (Formerly Rules 3E) provides that:

(A) A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to the following circumstances:

(1) The judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of facts that are in dispute in the proceeding.

Rule 2.11[cmmt 1]; a judge is disqualified whenever the judge's impartiality might reasonably be questioned...for example, if a judge were in the process of negotiating for employment with a law firm, the judge would be disqualified from any matters in which that law firm appeared.

Rule 2.11[cmmt 2]; a judge's obligation not to hear or decide matters in which disqualification is required applies regardless of whether a motion to disqualify is filed.

Proof of actual bias is not required; "a court must objectively determine whether the probability of actual bias is too high to ensure the protection of a party's due process rights." *Ivey*, 129 Nev. at 159, 299 P.3d at 357.

The standard for assessing bias is "whether a reasonable person, knowing all the facts, would harbor reasonable doubts about [a judge's] impartiality." *In re Varain*, 114 Nev. 1271, 1278, 969 P.2d 305, 310 (1998).

Nevada Code of Judicial Conduct (NCJC) Canon 2, Rule 2.2, requires that "[a] judge ...shall perform all duties of judicial office fairly and impartially." If the judge forms an opinion based on facts introduced at the proceedings, there may be a showing of bias if the judge displays

REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISQUALIFY JUDGE PURSUANT TO NCJC 2.11 (FORMERLY NCJC 3E); AND COUNTERMOTION FOR AN AWARD OF ATTORNEY'S FEES AND COSTS AND RELATED RELIEF - 8

1 a deep-seated favoritism or antagonism that would make fair judgement impossible.” *Kirksey*,
2 112 Nev. at 1007, 923 P.2d at 1119.

3
4 **A. Plaintiff Provides No Substantive Argument in Her Opposition**

5 Plaintiff’s Opposition is void of any substantive argument why Defendant’s Motion to
6 Disqualify should not be granted. Plaintiff’s only contentions are that Plaintiff filed an untimely
7 Peremptory Challenge which she knew Defendant would oppose as untimely, and that Defendant
8 previously filed an Affidavit of Bias regarding Judge Sandra Pomrenze.

9
10 It is true that Plaintiff filed a Peremptory Challenge regarding Judge Mary Perry. However,
11 this was for appearance sake only. Ms. Roberts intentionally filed the Peremptory Challenge after
12 time had expired to do so. In her Opposition, Ms. Roberts contends that “Quite candidly, Emily
13 does not care which Judge is assigned to his matter.” If we entertain that logic, then why would
14 Plaintiff file a Peremptory Challenge in the first place? And why would Plaintiff file a sixteen
15 (16) page Opposition to Defendant’s Motion to Disqualify if she is disinterested in this issue? The
16 answer is simple, Plaintiff’s unethical Counsel is attempting to pull the wool over the eyes of the
17 court, and secure her close, personal friend, Mary Perry as Judge in this matter.

18
19 Ex Parte communications are nothing new to Plaintiff’s Counsel, Amanda Roberts.
20 Previously under Judge Pomrenze, Defendant noted many instances in which Judge Pomrenze
21 seemed to know extrajudicial information, and there were multiple instances where Ms. Roberts
22 or her Assistant claimed Judge Pomrenze made statements which were not on the record. So
23 either Ms. Roberts can admit to blatantly lying, or she can admit to having ex parte
24 communications. Either option is disturbing to the administration of a fair and impartial judicial
25 process.

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REPLY TO PLAINTIFF’S OPPOSITION TO DEFENDANT’S MOTION TO DISQUALIFY JUDGE PURSUANT
TO NCJC 2.11 (FORMERLY NCJC 3E); AND COUNTERMOTION FOR AN AWARD OF ATTORNEY’S FEES
AND COSTS AND RELATED RELIEF - 9

1 Defendant has no *modus operandi* of claiming bias and prejudice against anyone that has
2 a different opinion than Defendant. Defendant does, however, have a *modus operandi* of asking
3 for administration of the judicial process through adherence Court Rules and well established law.
4 Plaintiff's Counsel, Amanda Roberts, however, is extremely unethical and believes she is above
5 the law. Defendant is constantly forced to seek relief from violations of ethics and court rules
6 promulgated by Ms. Roberts. Requesting a fair and impartial judicial process which adheres to
7 court rules and well-established law is hardly the unhinged behavior that Ms. Roberts suggests.
8

9 Given that Plaintiff and her unethical Counsel, Amanda Roberts, have provided no
10 substantive opposition to the allegations raised in Defendant's Motion to Disqualify Judge Mary
11 Perry, Defendant's Motion should be granted.
12

13
14 **B. Case Law and State of Nevada Standing Committee on Judicial Ethics and
Election Practices Opinions Support Disqualification of Judge Mary Perry**

15 Defendant's Motion to Disqualify should be granted for multiple reasons, not merely
16 because of her close, personal relationship with Amanda Roberts, Jason Stoffel, and the rest of
17 Roberts Stoffel Family Law Group. Recent case law regarding disqualification, as well as Nevada
18 Standing Committee on Judicial Ethics and Election Practices Opinions Support Disqualification
19 of Judge Mary Perry.
20

21 **In Re the Matter of the Parental Rights as to A.M. (Attached hereto as Exhibit B)**

22 This matter involved a Petition of Writ of Mandamus by Giano Amado regarding the
23 District Court's refusal to disqualify Judge Harter. The Court of Appeals remanded the matter and
24 Ordered Judge Harter to be disqualified. The Court of Appeals found in favor of disqualification
25
26

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28 REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISQUALIFY JUDGE PURSUANT
TO NCJC 2.11 (FORMERLY NCJC 3E); AND COUNTERMOTION FOR AN AWARD OF ATTORNEY'S FEES
AND COSTS AND RELATED RELIEF - 10

1 because Judge Harter's comments and actions together created reasonable doubts as to the court's
2 impartiality and the Court came to legal conclusions without evidence or argument from the parties.

3 Amado alleged that the courts actions and comments created reasonable doubts as to the
4 court's impartiality. Specifically, Amado's alleged that Judge Harter instructed Counsel for
5 opposing party to "quickly move forward with filing a petition to terminate," and made statements
6 antagonizing Amado.
7

8 In this matter Judge Perry exhibited nearly identical behavior. During the Hearing on
9 January 25, 2021 (in which Judge Perry violated NCJC by holding the hearing ex parte) Judge
10 Perry advised Counsel for Plaintiff, Amanda Roberts, to immediately file a Motion and Motion for
11 Order Shortening Time because she would sign it and they could "get this done quick." Further,
12 during the same hearing, Judge Perry stated it would be good for Defendant to be in jail so he
13 could "dry out." Judge Perry's statement is entirely prejudicial and not based on any evidence,
14 however, upon information and belief was based upon ex parte communications with her good
15 friend, Amanda Roberts. Given Judge Perry's identical behavior to that of Judge Harter in the
16 Amado case, Judge Perry Should be disqualified.
17

18 Amado Further alleged that the court had a predetermined outcome in his case. The Court
19 of Appeals agreed stating that the Court came to legal conclusions without presentation of evidence
20 by the parties.
21

22 In this matter, Judge Mary Perry exhibited nearly identical behavior. Judge Perry stated
23 she would approve an Order Shortening Time without presentation of evidence. Additionally, the
24 Court Minutes state the Judge Perry Found that Defendant violated the TPO despite a lack of
25 evidence presented by the parties. Additionally, Defendant filed a motion to continue the hearing
26

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REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISQUALIFY JUDGE PURSUANT
TO NCJC 2.11 (FORMERLY NCJC 3E); AND COUNTERMOTION FOR AN AWARD OF ATTORNEY'S FEES
AND COSTS AND RELATED RELIEF - 11

1 which Judge Perry granted the Order Shortening Time. Defendant's motion demonstrated that
2 Judge Perry's Order was based upon not only a lack of evidence presented, but by intentionally
3 misrepresented facts by Plaintiff's Counsel. Judge Perry denied the motion to continue. As
4 additional support of Judge Perry's predetermined outcome of this matter, Judge Perry
5 intentionally misrepresents material facts in her response to Defendant's Motion to Disqualify in
6 order to fit the scheme of her predetermined outcome. Judge Perry claims Defendant is a blatant
7 liar, however, simple Court Orders provide factual support for Defendant's contentions. But that
8 doesn't fit Judge Perry and her good friend, Amanda Roberts' predetermined outcome for the case.
9 so she attempted to intentionally deceive this Honorable Court.
10

11
12 Due to Judge Perry's actions, comments, and predetermined outcome for this matter, Judge
13 Mary Perry should be disqualified.

14 **JE16-002 (Attached hereto was Exhibit C)**

15 This Judicial ethics opinion was issued on July 22, 2016 and dealt with the issue of if a
16 judge may participate in an awards program in which judges would nominate or vote for "best
17 attorney" awards in a variety of categories.
18

19 The committee found that Judges may not participate in "best attorney" programs as such
20 nominations would appear to a reasonable person to undermine the independence and impartiality
21 of the judiciary, would lead to frequent disqualification or challenge, and creates a risk of abuse of
22 the prestige of judicial office. The committee also found that such nominations create the
23 perception that counsel are not on equal footing in the eyes of the judiciary, and thus, could cause
24 a litigant to lose confidence when facing counsel who had received nomination.
25
26
27

28 REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISQUALIFY JUDGE PURSUANT
TO NCJC 2.11 (FORMERLY NCJC 3E); AND COUNTERMOTION FOR AN AWARD OF ATTORNEY'S FEES
AND COSTS AND RELATED RELIEF - 12

1 In this matter, Judge Perry has made public statements which are on par with “best attorney”
2 nominations in an awards program. However, Defendant believes Judge Perry’s statements are
3 even more prejudicial because they are not for an awards program, but made simply to express
4 Judge Perry’s favoritism and bias of Amanda Roberts and Jason Stoffel on a personal level. On
5 December 24, 2019 Judge Perry publicly stated “**AMANDA ROBERTS AND JASON**
6 **STOFFEL, JUST WANTED YA’LL TO KNOW HOW SPECIAL YOU ARE TO ME.**”
7 Judge Perry followed that with another statement demonstrating favoritism (literally!) on or around
8 January 26, 2020. Judge Perry publicly stated “Nina Miller **AMANDA IS ONE OF MY**
9 **FAVORITE PEOPLE.**” (See Facebook post, attached hereto as Exhibit A).
10

11
12 Judge Mary Perry’s public statements are similar to those of a nomination for “best
13 attorney.” Judge Perry made public statements demonstrating clear favoritism and bias toward
14 Amanda Roberts and her law partner, and husband, Jason Stoffel. Such statements have caused
15 Defendant to lose confidence in the independence of the judiciary. More importantly for purposes
16 of this matter, Judge Perry’s statements would clearly cause a reasonable person to lose confidence
17 in the independence of the judiciary. As such, Judge Perry should be disqualified.
18

19 **JE02-001 (Attached hereto as Exhibit D)**

20 This judicial ethics opinion was issued on March 14, 2020 and dealt with the issue of if a
21 judge is required to recuse himself or herself from presiding in proceeds in which an attorney for
22 a party has participated in the judged election campaign by publicly endorsing the judge for
23 election or serving in the judge’s campaign.
24

25 The committee found that “where the attorney has made a contribution that is extraordinary
26 in amount...or has held a high campaign office or position, disclosure should be made and the
27

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REPLY TO PLAINTIFF’S OPPOSITION TO DEFENDANT’S MOTION TO DISQUALIFY JUDGE PURSUANT
TO NCJC 2.11 (FORMERLY NCJC 3E); AND COUNTERMOTION FOR AN AWARD OF ATTORNEY’S FEES
AND COSTS AND RELATED RELIEF - 13

1 judge should determine under the circumstances whether recusal is required because of a
2 reasonable question of impartiality and/or because the judge concludes he or she could not act
3 impartially in matters involving that attorney.”

4
5 In this matter, Plaintiff’s Counsel, Amanda Roberts has been publicly promoting Mary
6 Perry for Judge since at least 2014. Additionally, Jason Stoffel, Amanda Roberts’ husband and
7 law partner, admitted in the investiture speech he gave for Mary Perry, that they campaigned
8 together, strategized together, and that the Stoffel Roberts Law Group family was an integral part
9 of Mary Perry’s Judicial Campaign. Mr. Stoffel even went to go so far as to state that in addition
10 to being an integral part of Judge Perry’s campaign, his law firm was co-counsel with Judge Perry,
11 and worked with Judge Perry to routinely cover her hearings.

12
13 Given that the Roberts Stoffel Law Group was an integral part of Judge Perry’s campaign
14 and that she thanked them for such help during her investiture speech, Judge Perry should have at
15 a minimum disclosed the relationship to Defendant. Judge Perry decided not to disclose and
16 demonstrated even more bias in doing so. As such, Judge Perry should be disqualified.

17
18 **2. Plaintiff’s Request for Attorney’s Fees Should be Denied.**

19 The Nevada Supreme Court has affirmed a District Court’s award of preliminary attorney
20 fee to either party to an action for divorce. *See Miller v. Wilfong*, 121 Nev. 619, 622, 119 P.3d
21 727, 729 (2005). In a divorce proceeding, the district court is allowed to order one party to pay
22 money so that the other party can “carry on or defend such suit.” NRS 125.040 (1)(c)). In addition,
23 The Supreme Court has noted that *Sargeant’s* application is limited to divorce proceedings and
24 requires a “financial hardship concern.” *Miller*, 121 Nev. at 624, 119 P.3d at 730.

1 In this matter, it is true that the parties are on different financial footing. However, it is
2 Defendant that is unable to afford an attorney and has no income. Plaintiff is clearly able to afford
3 an unethical attorney who is willing to charge hundreds an hour to commit fraud and attempt to
4 railroad an unrepresented party. Defendant's Motion for Sanctions demonstrates that Plaintiff has
5 lied to this Honorable Court regarding her financial status, employment, income, and expenses.
6 Defendant in unemployed, has no income, is supported solely by his parents, and has no assets.
7 Plaintiff on the other hand is residing in the martial home which has significant equity owed to
8 Defendant, receives monthly income from a marriage gift given by her Father, which Defendant
9 is owed significant portions, and Plaintiff has significantly less expenses than claimed on her
10 financial disclosure form.
11
12

13 It would be unjust to award Plaintiff attorney fees given Defendant's financial hardship.
14 Additionally, it would be unjust to award Plaintiff attorney fees for a motion she herself admits
15 she has no interest in as she claims she does not have any care as to who the Judge is in this matter.
16
17

18 DATED this 4 day of March, 2021.

19 /s/ Bradley J. Bellisario
20 Bradley Bellisario
21 7100 Grand Montecito Pkwy, #2054
22 Las Vegas, NV 89149
23 T: 309.397.6734
24 F: 702.936.4801
25 E: bradb@bellisariolaw.com
26 *Defendant Pro Se*
27
28

REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISQUALIFY JUDGE PURSUANT
TO NCJC 2.11 (FORMERLY NCJC 3E); AND COUNTERMOTION FOR AN AWARD OF ATTORNEY'S FEES
AND COSTS AND RELATED RELIEF - 15

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1. I have read the foregoing motion, and the factual averments it contains are true and correct to the best of my knowledge, except as to those matters based on information and belief, and as to those matters, I believe them to be true. Those factual averments contained in the referenced filing are incorporated here as if set forth in full.
2. This Declaration is made in good faith and not made for the purpose of delay.

DATED this 4th day of March 2021.

REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISQUALIFY JUDGE PURSUANT
TO NCJC 2.11 (FORMERLY NCJC 3E); AND COUNTERMOTION FOR AN AWARD OF ATTORNEY'S FEES
AND COSTS AND RELATED RELIEF - 16

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Amanda Roberts, Esq.
E: efile@lvfamilylaw.com
Attorney for Plaintiff

REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISQUALIFY JUDGE PURSUANT
TO NCJC 2.11 (FORMERLY NCJC 3E); AND COUNTERMOTION FOR AN AWARD OF ATTORNEY'S FEES
AND COSTS AND RELATED RELIEF - 17

EXHIBIT

A

Done

Edit



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**Mark DiCiero** ▶ Nevada Court Watchers

Jan 26, 2020 · 🌐 · It is so nice to see judge's deal with alienation and pathogenic parenting head on. Good for Judge Forsberg.. 🙌🙌

YOUTUBE.COM

Soares now before Clark County Family Court Judge Rhonda Forsb...



12

40 Comments

2 Matching comments**Mary Perry**

Nina Miller Amanda is one of my favorite people.



1

**Mark DiCiero** ▶ Nevada Court Watchers

Nov 19, 2019 · 🌐 · Filed a Motion into Ochoa's

More

EXHIBIT B

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

IN THE MATTER OF THE PARENTAL
RIGHTS AS TO A.M.

No. 81098-COA

GIANO AMADO,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
MATHEW HARTER, DISTRICT JUDGE,
Respondents,

and

JENNIFER MARIE MARTINEZ,

Real Party in Interest.

FILED

NOV 25 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: *[Signature]*
DEPUTY CLERK

ORDER GRANTING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus seeks disqualification of a district court judge in a termination of parental rights action.

Petitioner, Giano Amado, and real party in interest, Jennifer Marie Martinez, have one child together, A.M.¹ Besides the instant proceeding regarding parental rights, the parties have engaged in highly contested litigation regarding custody of A.M. Judge Mathew Harter has presided over all of the parties' family court proceedings. After Amado established paternity of the child in 2012, he and Martinez shared joint legal and joint physical custody (the custody case). In 2016, the district court granted Amado sole legal and physical custody due to Martinez's

¹We recount the facts only as necessary for our disposition.

20-42987

AA1776

substance abuse. Martinez was required to complete a rehabilitation program before she could regain custody. In June 2018, the district court awarded Martinez parenting time and later awarded joint physical custody. In August 2018, Martinez moved the court to modify custody, alleging that Amado was abusing the child.² The district court granted Martinez temporary sole legal and physical custody.

At a hearing in September 2018 regarding the allegations of child abuse, Amado claimed the allegations were fabricated. Amado apparently became frustrated because the district court would not consider his side of the story and instead said it would set an evidentiary hearing in January. Amado then offered to relinquish his parental rights. The district court immediately instructed Martinez that in order for Amado to relinquish his rights, Martinez would have to file a petition to terminate parental rights. The court encouraged her to file the petition quickly. The court continued sole legal and sole physical custody of the child with Martinez and did not award Amado any parenting time.

In March 2019, Martinez filed a petition to terminate Amado's parental rights as to A.M. (the termination case). At the petition hearing for the termination case in April 2019, Amado told the district court that he changed his mind and did not want to relinquish his rights.³ The court sua sponte appointed Martinez counsel to prosecute the termination case, did

²The record before this court does not indicate whether these allegations ever moved forward or were resolved. The allegations were before child protective services, which apparently closed the case, and according to Amado, no court action was initiated. The record does not show that the parties mentioned these allegations in later proceedings.

³Amado was represented by unbundled counsel at this initial proceeding, and Martinez appeared pro se.

not appoint counsel for Amado or the child, and declined to award Amado any parenting time. The district court scheduled an August 2019 trial for the termination case.

After the April hearing for the termination case, Amado, acting pro se, submitted in the custody case, a one-page proposed custody order that memorialized the September custody hearing ruling, which awarded Martinez sole legal and physical custody of the child. The district court entered the custody order in May, and Amado filed a motion to reconsider because the order did not address the statutory best interest factors under NRS 125C.0035(4).⁴ He also reasserted that he no longer wanted to relinquish his parental rights. The district court denied Amado's petition to reconsider the custody order but failed to address why it did not consider the best interest factors when it awarded Martinez sole legal and physical custody. Amado subsequently appealed the custody order and sought to disqualify Judge Harter from the custody case (the custody appeal).

Amado then filed a motion to stay the termination case pending the outcome of the custody appeal. The district court denied the motion during an August 2019 calendar call but agreed to continue the proceedings at Amado's request so he could seek an emergency stay from the Nevada

⁴The custody order memorialized the ruling from the bench and the subsequent minute order from the September 2018 hearing. The district court did not address the best interest factors for child custody at the September 2018 hearing.

Supreme Court. Amado filed emergency petitions to stay the termination proceedings, which were ultimately denied.⁵

In December 2019, Amado filed a motion in the district court to disqualify Judge Harter from the termination case. Chief Judge Bell denied the motion, finding that Amado did not establish sufficient factual or legal grounds for disqualification. Amado filed a motion to reconsider this decision, which was also denied. After another continuance,⁶ the termination case was set for trial in March 2020. However, due to restrictions from the COVID-19 pandemic, the district court again continued the termination case.

⁵*Amado v. Martinez*, Docket No. 79122-COA (Order Denying Stay, Ct. App., Dec. 31, 2019); *In the Matter of the Parental Rights as to A.M.*, Docket No. 80624 (Order Denying Petition for Writ of Mandamus, March 19, 2020).

⁶The district court issued the continuance sua sponte because (1) it had not yet received the court of appeals' order denying Amado's petition to stay the proceedings, (2) it had not yet received a ruling on Amado's motion to disqualify from the district court, and (3) Amado had filed two new motions in the termination case. The district court did not address NRS 128.055 ("[T]he court shall use its best efforts to ensure that proceedings conducted pursuant to this chapter are completed within 6 months after the petition is filed."). See also SCR 251 ("In all cases affecting the custody or visitation of minor children including, but not limited to action seeking termination of parental rights . . . the district courts must resolve the issues . . . within six months of the date that such issues are contested by the filing of a responsive pleading that contests the custody or visitation issues. Extraordinary cases that present unforeseeable circumstances may be subject to extensions of time beyond the six-month period only upon entry by the court of specific findings of fact regarding the circumstances that justify the extension of time.").

In June 2020, this court issued an order of reversal and remand in the custody appeal.⁷ In that appeal, Amado argued that Judge Harter should be disqualified from the custody case. This court disagreed with Amado on that issue, concluding that, looking at the record as a whole in the custody case, there was not a sufficient showing of bias that would impede the judicial process. In our order, we noted that “some of the district judge’s comments and actions may appear in a different light in the termination of parental rights proceeding” which was not before this court at the time. *Amado v. Martinez*, Docket No. 79122-COA at 7, n.5 (Order of Reversal and Remand, Ct. App., June 29, 2020).

After entry of this court’s order, the district court issued a notice to continue the termination case while awaiting remittitur from the custody appeal. In the notice, the court stated that it would reset the termination trial once it resolved the issue remanded from the custody appeal.

In April 2020, Amado filed the instant writ petition seeking to disqualify Judge Harter from the termination case and, in May, the supreme court ordered Martinez to respond. Amado argues that Judge Harter must be disqualified because his words and actions demonstrate that he harbors antagonism towards Amado. Amado contends that, taken together, the district judge’s words and actions create a reasonable doubt as to the court’s impartiality in the termination case. Amado also asserts that the court has shown that it has a pre-determined outcome in mind for the termination case. Martinez counters that Amado has not shown substantial

⁷*Amado v. Martinez*, Docket No. 79122-COA (Order of Reversal and Remand, Ct. App., June 29, 2020). In the custody appeal, Amado argued that the district court improperly awarded Martinez sole legal and physical custody of the child without making any findings regarding the best interest of the child. This court agreed and reversed and remanded the matter.

evidence requiring disqualification and that the district court is not biased. We agree with Amado.

“A writ of mandamus is available to compel the performance of an act required by law or to control an arbitrary or capricious exercise of discretion.” *Mulkern v. Eighth Judicial Dist. Court*, 134 Nev. 684, 686, 429 P.3d 277, 278-79 (2019); NRS 34.160. This court has discretion to consider a petition for extraordinary relief and will not do so when the petitioner has a plain, speedy, and adequate remedy at law. NRS 34.170; *D.R. Horton, Inc. v. Eighth Judicial Dist. Court*, 123 Nev. 468, 474-75, 168 P.3d 731, 736-37 (2007). The petitioner bears the burden of demonstrating that extraordinary relief is warranted. See *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). “[A] petition for a writ of mandamus is the appropriate vehicle to seek disqualification of a judge.” *Ivey v. Eighth Judicial Dist. Court*, 129 Nev. 154, 158, 299 P.3d 354, 357 (2013) (alteration in original) (quoting *Towbin Dodge, LLC v. Eighth Judicial Dist. Court*, 121 Nev. 251, 254-55, 112 P.3d 1063, 1066 (2005)).

The party seeking disqualification has the burden to prove that it is warranted. *Kirksey v. State*, 112 Nev. 980, 1006, 923 P.2d 1102, 1118 (1996). The district court’s impartiality is reviewed de novo based on objective facts. See *Ybarra v. State*, 127 Nev. 47, 51, 247 P.3d 269, 272 (2011). Disqualification is appropriate where the judge has an actual bias or prejudice against a party to the action. NRS 1.230; Nev. Code of Jud. Conduct, Canon 2, Rule 2.11. Proof of actual bias is not required; “a court must objectively determine whether the probability of actual bias is too high to ensure the protection of a party’s due process rights.” *Ivey*, 129 Nev. at 159, 299 P.3d at 357.

The standard for assessing bias is “whether a reasonable person, knowing all the facts, would harbor reasonable doubts about [a judge’s] impartiality.” *In re Varain*, 114 Nev. 1271, 1278, 969 P.2d 305, 310 (1998) (alteration in original) (quoting *PETA v. Bobby Berosini, Ltd.*, 111 Nev. 431, 438, 894 P.2d 337, 341 (1995), *overruled on other grounds by Towbin Dodge, LLC*, 121 Nev. at 251, 112 P.3d at 1063)). “A judge is presumed to be unbiased” and “disqualification for personal bias requires ‘an extreme showing of bias [that] would permit manipulation of the court and significantly impede the judicial process and the administration of justice.’” *Millen v. Eighth Judicial Dist. Court*, 122 Nev. 1245, 1254-55, 148 P.3d 694, 701 (2006) (alteration in original) (quoting *City of Las Vegas Downtown Redev. Agency v. Hecht*, 113 Nev. 632, 636, 940 P.2d 127, 129 (1997)). Judges must not disqualify themselves when there is no reason to do so, and “[a] judge’s decision not to recuse himself voluntarily is given substantial weight” *Kirksey*, 112 Nev. at 1005-06, 923 P.2d at 1118 (internal quotation marks omitted). “[J]udicial rulings alone *almost never* constitute a valid basis for [disqualification].” *Whitehead v. Nev. Comm’n on Jud. Discipline*, 110 Nev. 380, 427, 873 P.2d 946, 975 (quoting *Liteky v. United States*, 510 U.S. 540, 555 (1994) (emphasis in *Whitehead*)).

Amado argues that the district court’s comments and actions, considered together, show that the court harbored a bias against him.⁸ The

⁸Amado points to several instances of conduct to support his claim. Amado claims that the district court exhibited bias or favoritism when it appointed Martinez counsel, but did not appoint him counsel, despite the fact that Amado was at risk of losing his parental rights. NRS 128.100(3) gives the court discretion to appoint counsel to indigent parents upon request in a termination proceeding, and there is “no absolute right to counsel in termination proceedings.” *In re Parental Rights as to N.D.O.*, 121

Nevada Code of Judicial Conduct (NCJC) Canon 2, Rule 2.2, requires that “[a] judge . . . shall perform all duties of judicial office fairly and impartially.” If the judge forms an opinion based on facts introduced at the proceedings, there may be a showing of bias if the judge displays “a deep seated favoritism or antagonism that would make fair judgment impossible.” *Kirksey*, 112 Nev. at 1007, 923 P.2d at 1119 (internal quotation marks omitted).

At the September 2018 hearing, after Amado offered to relinquish his rights, the district court cut off Amado’s explanation, saying “Why does it matter? You’re giving up your rights, Mr. Amado.” The court also said “At this point you wanna cut bait and you just wanna sign away

Nev. 379, 383, 115 P.3d 223, 225 (2005). Although it may be unusual, it was not improper for the court to appoint counsel to Martinez but not Amado, except that the court did it sua sponte when NRS 128.100(3) requires a party to request counsel. Amado did not request that he be appointed counsel and when the district court appointed counsel for Martinez, Amado was represented, albeit in an unbundled capacity. Because judicial rulings *alone* almost never constitute a basis for disqualification, the fact that the court sua sponte appointed Martinez counsel, and never appointed counsel for Amado or the child, alone does not raise a reasonable doubt requiring disqualification.

Amado also contends that the district court improperly gave Martinez legal advice during the September 2018 hearing, which led her to file the termination case. After Amado stated that he wanted to relinquish his parental rights, the court immediately instructed Martinez to file a petition to terminate parental rights, and stated “I would do that while he’s in the mood to do it.” The court also encouraged Martinez to file the petition quickly. While these statements involve what the court thought Martinez should do strategically, overall, the court was instructing Martinez how to go forward with Amado’s request to relinquish parental rights. This fact alone does not create a reasonable doubt or weigh in favor of disqualification.

your rights, you do what you need to do.” At this hearing, the court also instructed Martinez to quickly move forward with filing a petition to terminate Amado’s parental rights.

At the April 2019 petition hearing, the district court cut off Amado’s attorney’s explanation of Amado’s relinquishment statement, saying “Mr. Amado knows how to represent himself, he knows how to [get] counsel a la you, he knows this system. He’s been playing it since 2012.” It was at this April 2019 hearing when the court also sua sponte appointed Martinez counsel to prosecute the termination case, but did not appoint counsel for Amado or the child.

During the telephonic calendar call in March 2020 regarding a continuance due to the COVID-19 pandemic, Amado interrupted the district court, attempting to say that Martinez had abandoned A.M. with a babysitter. The court attempted to mute Amado, but it did not work. The transcript reflects that Amado asked if he was being muted or if the court could hear him. The court ignored Amado and continued to speak to opposing counsel, and then ended the call without addressing Amado. Lastly, in its July 2020 rescheduling notice, the district court admonished Amado for seeking disqualification from both of the appellate courts, stating that it is “clearly duplicitous, unnecessary litigation”

Considered together, these comments and actions may create a reasonable doubt as to the district court’s impartiality in this matter.⁹ See *In re Varain*, 114 Nev. at 1278, 969 P.2d at 310. It is true that, throughout

⁹We also note that while judicial rulings *alone* cannot be sufficient evidence of bias, the fact that the district court denied Amado’s request to reconsider its clearly deficient custody order after Amado said he no longer wanted to relinquish his parental rights, is another factor that may show the court harbors some bias against Amado.

Amado's and Martinez's long history of litigation in front of Judge Harter, the court made rulings both in favor of and against each party. Nevertheless, the record before this court reflects that after Amado made the statement that he wanted to relinquish his parental rights in September 2018, the district court made statements over the next 19 months that showed antagonism toward Amado and favoritism towards Martinez.

Importantly, Amado also contends that the district court has a pre-determined outcome for the termination case. Remarks of a judge made during court proceedings do not demonstrate bias unless they show "that the judge has closed his or her mind to the presentation of all the evidence." *Cameron v. State*, 114 Nev. 1281, 1283, 968 P.2d 1169, 1171 (1998).

During the August 2019 calendar call in the termination case, Martinez's counsel told the court he received "new information that may obviate the need for a trial tomorrow." Apparently, the termination petition was based on abandonment and neglect.¹⁰ Martinez's counsel told the court

¹⁰The parties did not include in the record the petition for termination of parental rights. However, during the August 2019 hearing, Martinez's counsel stated that the claim was based on abandonment and neglect. One of the fault grounds that termination can be based on is abandonment, which requires a showing of no provision of child support and no contact with the child for six months. NRS 128.012; NRS 128.105(1)(b)(1). Termination may also be ordered if there have been "[o]nly token efforts by the parent . . . to avoid being an unfit parent." NRS 128.105(1)(b)(6). Overall, the district court must determine that it is in the best interest of the child to terminate a parent's rights. NRS 128.105(1) ("The primary consideration in any proceeding to terminate parental rights must be whether the best interests of the child will be served by the termination."); NRS 128.090(2) ("The proceedings are civil in nature and are governed by the Nevada Rules of Civil Procedure. The court shall in all cases require the petitioner to establish the facts by clear and convincing evidence and shall give full and careful consideration to all of the evidence presented,

that, despite counsel's previous representations that Amado had not paid child support, Amado had in fact made child support payments, negating one of the required abandonment elements.¹¹ The district court stated that "child support alone I don't think alleviates this. They're still token efforts." The record does not reflect that Martinez's counsel argued that the child support payments were token efforts. Martinez's counsel also informed the court that Martinez did not have another adoptive placement for the child.¹² While a prospective adoptive parent is not required, Martinez's counsel noted that other departments in the district require it. The district court volunteered that it did not. The court went on to explain that Amado also had no contact with the child for over six months, which satisfies the other element of the underlying abandonment claim. However, Amado, appearing pro se, tried to explain to the court he had no contact since September 2018 because the court specifically prohibited contact and did not award parenting time thereafter, despite several requests. The court commented that Amado did not come back to court between September 2018

with regard to the rights and claims of the parent of the child and to any and all blood ties or affection, but with a dominant purpose of serving the best interests of the child.").

¹¹Martinez's counsel expressly noted that child support went to the issue of parental fault because the claim was based on abandonment or neglect due to failure to support.

¹²An adoptive placement is not required to be shown when seeking to terminate parental rights. *In re Parental Rights as to A.J.G.*, 122 Nev. 1418, 1425, 148 P.3d 759, 764 (2006). The availability of a prospective adoptive parent should be considered in determining whether termination of a parent's rights is in the child's best interest.

and April 2019 to try and reinstate his rights.¹³ The court's other discourse with Amado indicates that the court either did not believe Amado or did not agree that he was prevented from having contact.¹⁴

In these instances, the district court came to legal conclusions without presentation of evidence or argument from the parties, and the conclusions were contrary to the attorney's representations and the record before the court. Further, in explicitly stating that it would not require an adoptive placement before any evidence was presented, the district court was prejudging an aspect of the best-interest-of-the-child analysis. Because the court came to these legal conclusions without evidence, the court showed that it had a pre-determined outcome in mind that the termination case should go forward, and that Martinez would be able to prove that Amado's parental rights should be terminated. While the court had set the matter for evidentiary hearings or a trial throughout the proceedings, it nevertheless came to legal conclusions regarding important elements of the claim without hearing any evidence or holding a trial. The district judge's statements suggest that it has closed its mind to neutral evaluation of the


¹³After the September 2018 hearing, the court did not enter a custody order, so Amado could not request a reconsideration or appeal the order until it was entered, which was in May 2019 after Amado himself submitted the proposed order in pro se. The court vacated or never set any future hearings in the custody case, apparently because Martinez was to file the termination petition.

¹⁴Amado said, "I wasn't allowed around my daughter and then you're telling me that you're going to use that against me when you took that right away from me, Your Honor." The court responded, "I like the creative nature in which you've spun these things and we will – we will see what the record says"

evidence in the termination case and has a pre-determined outcome in mind; therefore, disqualification is necessary.

Given the serious implications of an order terminating parental rights on both the child and the parent,¹⁵ we conclude that Judge Harter should be disqualified. The district court's comments and actions toward Amado, combined with the record from the August 2019 calendar call, create a reasonable doubt as to the impartiality of the court. Accordingly, we

ORDER the petition GRANTED AND DIRECT THE CLERK OF THIS COURT TO ISSUE A WRIT OF MANDAMUS instructing the Chief Judge to reassign the termination case, Case No. D-19-586398-R, to a new judge.


_____, C.J.
Gibbons


_____, J.
Bulla

¹⁵"[T]he parent-child relationship is a fundamental liberty interest." *In re Termination of Parental Rights as to N.J.*, 116 Nev. 790, 801, 8 P.3d 126, 133 (2000). "[T]he termination of parental rights is an exercise of awesome power that is tantamount to imposition of a civil death penalty" and thus an "order terminating parental rights is subject to close scrutiny." *In re Parental Rights as to A.L.*, 130 Nev. 914, 918, 337 P.3d 758, 761 (2014) (internal quotation marks omitted). The purpose of a termination of parental rights order is "not to punish parents, but to protect the welfare of children." *In re N.J.*, 116 Nev. at 801, 8 P.3d at 133. Further, not only does a parent lose a child, the child loses a parent and all the support a parent can provide.

TAO, J. dissenting:

I dissent.

Tao, J.
Tao

cc: Hon. Mathew Harter, District Judge
Hon. Linda Marie Bell, Chief Judge
Holland & Hart LLP/Las Vegas
Christopher R. Tilman
Eighth District Court Clerk

EXHIBIT C

FILED

JUL 22 2016

STATE OF NEVADA

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT

STANDING COMMITTEE ON JUDICIAL ETHICS

BY CHIEF DEPUTY CLERK

DATE ISSUED: July 22, 2016

ADVISORY OPINION: JE16-002

PROPRIETY OF A JUDGE
PARTICIPATING IN AN "ATTORNEYS
OSCARS" AWARDS PROGRAM AND
VOTING ON BEST ATTORNEY
PERFORMANCES

ISSUE

May a judge participate in an awards
program in which judges would nominate or
vote for "best attorney" awards in a variety
of categories?

ANSWER

No. The Committee believes judicial
participation in a program in which judges
will vote for "best attorney" performances
would appear to a reasonable person to
undermine the independence and
impartiality of the judiciary.

FACTS

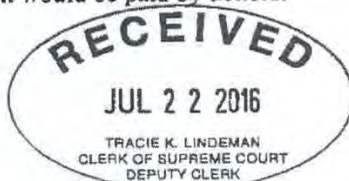
A judge has presented the
Committee with a hypothetical question
inquiring whether it is a violation of the
Nevada Code of Judicial Conduct ("NCJC")
for a judge to participate in an attorney
awards program called the Las Vegas
Oscars, in which judges would nominate or
participate in voting for the "best" attorney
in a variety of categories such as best lead
counsel, best criminal trial, or best closing
argument. A public awards ceremony would
be held to issue the awards, the cost of
which would be paid by donors.

DISCUSSION

The Committee is authorized to
render advisory opinions evaluating the
scope of the NCJC. *Rule 5 Governing the
Standing Committee On Judicial Ethics*.
Accordingly, this opinion is limited by the
authority granted in Rule 5.

An independent, fair and impartial
judiciary is indispensable to our system of
justice. *Preamble [1], Nev. Code Jud.
Conduct*. Canon 2 of the NCJC states "[a]
judge shall uphold and promote the
independence, integrity, and impartiality of
the judiciary and shall avoid impropriety and
the appearance of impropriety." Rule 1.2
imposes upon judges the obligation to act at
all times in such a manner. *See Nev. Code
Jud. Conduct Rule 1.2*. As recognized by
the Comments to Rule 1.2, "public
confidence in the judiciary is eroded by
...conduct that creates the appearance of
impropriety" and "conduct that
compromises or appears to compromise the
independence, integrity, and impartiality of
a judge undermines public confidence in the
judiciary." *Nev. Code Jud. Conduct Rule
1.2, Comments [1] and [3]*.

The Committee is concerned that
nominating or voting on "best" attorneys in
various categories would undermine the
integrity or independence of the judiciary in
violation of Rule 1.2. The Committee is
concerned that such a nomination or vote
would appear to a reasonable person to
indicate favoritism by the judge, and would
undermine the appearance that persons
represented by counsel who were not the
"best" would not be treated equally. The
Committee believes that this type of



program also creates the perception that counsel are not on equal footing in the eyes of the judiciary and, thus, could cause a litigant to lose confidence in counsel that may appear against an attorney who has been nominated for or received recognition by a judge.

The Committee expressed concern that participating in the nomination and voting on "best" attorneys could interfere with the proper performance of the judge's judicial duties by leading to frequent disqualification of the judge. The Committee believes it likely that counsel will frequently seek to disqualify a judge in cases where the judge nominated or voted opposing counsel as the "best" attorney in some category.

The Committee also expressed concern with how counsel may use such awards in marketing materials. A judge should avoid abusing the prestige of judicial office to advance the personal or economic interests of others and should avoid allowing others to do so. *Nev. Code Jud. Conduct Rule 1.3*. The Committee is concerned that counsel that receive "best attorney" awards may abuse the prestige of judicial office in marketing materials by suggesting the award is some type of official judicial recognition that they are the "best attorney" in some category. The Committee expressed strong concern that participation in this type of award program creates a significant risk of violating Rule 1.3 and undermining public confidence in the prestige and impartiality of the judiciary.

CONCLUSION

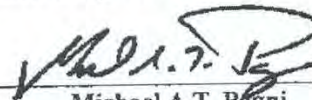
The Committee concludes that the Code of Judicial Conduct does not allow a judge to participate in an "Oscars" type award program where the judge will nominate or vote on the "Best Attorney" in

various categories. The Committee believes such a program would appear to a reasonable person to undermine the independence and impartiality of the judiciary, would lead to frequent disqualification or challenge, and creates a significant risk that attorney marketing of such awards will abuse of the prestige of judicial office.

REFERENCES

Nev. Code Jud. Conduct, Canon 1 and Canon 2; Rule 1.2; Rule 1.3; Rule 3.1.

This opinion is issued by the Standing Committee on Judicial Ethics. It is advisory only. It is not binding upon the courts, the State Bar of Nevada, the Nevada Commission on Judicial Discipline, any person or tribunal charged with regulatory responsibilities, any member of the Nevada judiciary, or any person or entity which requested the opinion.



Michael A.T. Pagni
Chairman

EXHIBIT D

FILED

MAR 14 2002

STATE OF NEVADA
STANDING COMMITTEE ON JUDICIAL
ETHICS AND ELECTION PRACTICES

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY _____
DEPUTY CLERK

DATE ISSUED: March 14, 2002

OPINION: JE02-001

PROPRIETY OF JUDICIAL RECUSAL
WHERE ATTORNEY HAD
CONTRIBUTED TO JUDGE'S ELECTION
CAMPAIGN.

Issue

1. Is a judge required to recuse himself or herself from presiding in proceedings in which an attorney for a party(s) has participated in the judge's election campaign by engaging in any of the following activities or positions:

a. Has contributed money or service to, or has solicited or raised money on behalf of the judge's election campaign;

b. Has publically endorsed the judge for election including, but not necessarily limited to, authorizing the attorney's name to be listed on campaign literature as a member of the judge's election campaign or as a contributor or supporter of the judge for election, or

c. Has served as an officer of the judge's campaign committee including such offices as the campaign chairperson or treasurer?

2. Is a judge required to disclose to other attorneys or parties in a proceeding that an attorney for a party(s) has engaged in any of the foregoing activities or positions in regard to the judge's election campaign?

Answer:

1. A judge is not necessarily required to recuse himself or herself from hearing matters involving an attorney who has supported the judge's election campaign.

2. The judge is required to determine whether an attorney's participation in the judge's election campaign is so substantial or extraordinary that it requires the judge to disclose that attorney's participation to other counsel or parties and afford them the opportunity to request that the judge recuse himself or herself in the matter.

Facts

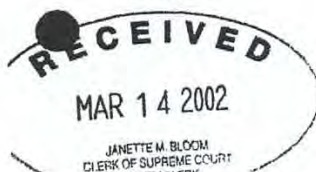
A candidate for a judicial office has requested an advisory opinion as to whether the candidate, if elected to judicial office, will be required to recuse himself or herself from presiding in proceedings in which an attorney for a party(s) has supported the judge's election campaign through contributions, or by serving on the judge's election committee, or by serving as an officer of the judge's campaign, such as campaign chairperson or treasurer.

Discussion

The Nevada Code of Judicial Conduct sets forth the applicable standards from which judges are provided guidance for ethical conduct.

Canon 3E(1) of the Nevada Code of Judicial Conduct states:

"A judge shall disqualify himself or herself in a



AA1794

proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to instances where . . ."

Canon 3E(1), subparts (a) through (d) lists instances in which a judge is required to recuse himself or herself from presiding over a matter, but does not specifically list an attorney's support of the judge's election campaign as grounds upon which a judge should recuse himself or herself.

The Commentary to Canon 3E(1), however, addresses campaign contributions as follows:

"The mere receipt of a campaign contribution from a witness, litigant or lawyer involved with a proceeding is not grounds for disqualification."

In *City of Las Vegas Downtown Redevelop. Agency v. District Court*, 116 Nev. Adv. Op. No. 74, 5 P.3d 1059 (2000), the Court issued a writ of mandamus directing a district court judge to preside over a case in which the judge recused himself because he had received campaign contributions from some of the parties involved on one side of the litigation. The judge stated that he recused himself in order to protect the appearance of judicial impartiality even though the judge stated that the contributions received in amounts ranging from \$150 to \$2,000, did not cause him to be biased and did not, in fact, render him unable to act impartially in the proceeding.

Because other judges had also received campaign contributions from the same parties, the judge's decision to recuse himself caused

a "chain-reaction" of recusals by other judges to whom the case was reassigned. In directing that the first judge preside over the case, the Supreme Court stated:

"In the context of campaign contributions, we have recognized that a contribution to a presiding judge by a party or an attorney does not ordinarily constitute grounds for disqualification. See *In re Petition to Recall Dunleavy*, 104 Nev. 784, 769 P.2d 1271 (1988). Indeed, we commented that such a rule would "severely and intolerably" obstruct the conduct of judicial business in a state like Nevada where judicial officers must run for election and consequently seek campaign contributions. *Id.*, 104 Nev. at 790, 769 P.2d at 1275; see also *O'Brien v. State Bar of Nevada*, 114 Nev. 71, 76 n.4, 952 P.2d 952, 955 n.4 (1998) (judge serving on state bar board of governors was not disqualified from voting on appointment to commission on judicial selection despite having received over \$100,000.00 in campaign contributions from a prospective appointee and her partner).

"In recognition of this recurring problem of campaign contributions, this court recently amended the commentary to NCJC 3(E)(1) to include the following guidance: 'The mere receipt of a campaign contribution from a

witness, litigant or lawyer involved with a proceeding is not grounds for disqualification.' NCJC Canon 3(E)(1) Commentary (2000).

"In the present matter, the campaign contributions to Judge Denton, which ranged from \$150.00 to \$2,000.00, are not extraordinary in amount and, without more, constitute only an 'insignificant interest' that does not raise a 'reasonable question as to a judge's impartiality.' While we commend Judge Denton's efforts to carefully balance his duty to preside with his duty to uphold the integrity of the judiciary, we conclude that the campaign contributions to Judge Denton do not serve as grounds for disqualification under Canon 3(E).

"We note that Judge Denton's minute order indicated that his recusal was made 'notwithstanding the lack of actual or implied bias, prejudice, partiality, or impropriety.' Therefore, we see no reason why Judge Denton cannot preside over the matter, and accordingly we grant the Agency's petition for a writ of mandamus."

The Nevada Supreme Court, has therefore, made clear that a judge is not required to, and should not, recuse himself or herself from presiding over a matter merely because an attorney has contributed to the judge's election campaign.

The same rule appears to apply in regard to attorneys who have publicly endorsed a judicial candidate's election. Attorneys are frequently asked to endorse judicial candidates and to allow their names to be listed on campaign literature as supporters of the candidate or as a member of his or her "campaign committee." Candidates for judicial office presumably seek such endorsements to demonstrate to the voters that they have the respect of the legal community and are considered worthy of judicial office by those most actively involved in the legal system. Likewise, attorneys have a legitimate interest in supporting qualified candidates for judicial office. It would be counterproductive to the election of qualified judges if attorneys could only endorse or publicly support a judicial candidate on condition that they not appear before that judge if he or she is elected to office.

As in the case of campaign contributions, generally, the fact that an attorney has endorsed the judge's candidacy or has agreed to be listed on a judicial candidate's campaign committee without more, constitutes only an "insignificant interest" that does not raise a "reasonable question as to a judge's impartiality." *City of Las Vegas Downtown Redevelop. Agency v. District Court, supra.*

The Supreme Court indicated that campaign contributions that are "extraordinary in amount" may raise a reasonable question as to a judge's impartiality such that a judge may be required to recuse himself or herself. Whether a contribution is extraordinary in amount such as to raise a reasonable question of impartiality is one that is left, in the first instance, to the judge's determination. In determining whether recusal is necessary, the judge should again be guided by his or her duty to preside unless there is some statute, rule of court, ethical standard, or other

compelling reason for recusal, including, of course, whether the contribution has, in fact, affected the judge's ability to preside impartially.

The same standard also appears to apply to recusal based on the fact that an attorney has served as the judge's campaign chairperson, treasurer or in another high office or position in the campaign. The holding of such an office or position may reasonably imply a close relationship between the judicial candidate and the attorney, perhaps even one involving a relationship of trust and confidence. It is, therefore, more likely that such a relationship will give rise to a reasonable question as to a judge's ability to preside impartially in matters involving an attorney who has served the judge's campaign in such a capacity.

In regard to a judge's duty to disclose to parties or their counsel that one of the attorneys has supported the judge's election campaign, the judge should determine whether the attorney's support was substantial enough to raise a reasonable question of impartiality such that the parties should be informed about it and, at least, be afforded the opportunity to request recusal. Again, the mere fact that an attorney has made a contribution to the judge's candidacy does not, in and of itself, require the judge to disclose the contribution to the parties when the attorney appears in a proceeding before the judge. Likewise, the fact that an attorney endorsed the judge's candidacy or was listed on his or her campaign committee does not require such disclosure when the attorney appears before the judge.

If the attorney's involvement has been more substantial or extraordinary, in terms of the amount of his or her contribution or because the attorney has served in a high campaign office or position, then disclosure of

that contribution or involvement should be made. If a party then requests recusal, the judge should apply the foregoing standard in determining whether recusal is required.

Conclusion

A judge is not required to and, indeed, should not recuse himself or herself from presiding in a matter because an attorney involved in the proceeding has contributed to the judge's campaign, or has endorsed the judge's candidacy or has been listed on campaign literature as a member of the judicial candidate's election committee.

Absent an extraordinary contribution in terms of amount, or a more substantial involvement in the candidate's campaign, such as by holding a high campaign office or position, a judge is not required to disclose an attorney's contribution or support to parties when the attorney appears in a proceeding before the judge.

Where the attorney has made a contribution that is extraordinary in amount, as compared to other contributions, or has held a high campaign office or position, disclosure should be made and the judge should determine under the circumstances whether recusal is required because of a reasonable question of impartiality and/or because the judge concludes he or she could not act impartially in matters involving that attorney.

References

Nevada Code of Judicial Conduct; Canons 3E; *City of Las Vegas Downtown Redevelop. Agency v. District Court*, 116 Nev. Adv. Op. No. 74, 5 P.3d 1059 (2000).

Divorce - Complaint

COURT MINUTES

March 04, 2021

D-20-605263-D Emily Bellisario, Plaintiff
vs.
Bradley John Bellisario, Defendant.

March 04, 2021 10:30 AM All Pending Motions

HEARD BY: Bell, Linda Marie **COURTROOM:** RJC Courtroom 14A

COURT CLERK: Estala, Kimberly

PARTIES PRESENT:

Emily Bellisario, Counter Defendant, Plaintiff, Present Amanda M Roberts, ESQ, Attorney, Present

Bradley John Bellisario, Counter Claimant, Defendant, Present Pro Se

Brayden Bellisario, Subject Minor, Not Present

Blake Bellisario, Subject Minor, Not Present

Brooklyn Bellisario, Subject Minor, Not Present

JOURNAL ENTRIES

DEFT'S MOTION TO DISQUALIFY JUDGE PURSUANT TO NCJC 2.11 FORMERLY NCJC 3(E)...PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISQUALIFY JUDGE PURSUANT TO NCJC 2.11 (FORMERLY NCJC 3(E)); AND COUNTERMOTION FOR AN AWARD OF ATTORNEY'S FEES AND COSTS AND RELATED RELIEF...

Argument by Mr. Bellisario. Argument by Ms. Roberts. Colloquy regarding pending dates. COURT ORDERED, pending April date VACATED; motion UNDER ADVISEMENT.

INTERIM CONDITIONS:

FUTURE HEARINGS:

Apr 15, 2021 11:00AM Motion
Courtroom 23 Perry, Mary

FILED

APR 05 2021

Amanda Roberts
CLERK OF COURT

1 TRANS

2
3
4 ORIGINAL

5 EIGHTH JUDICIAL DISTRICT COURT

6 FAMILY DIVISION

7 CLARK COUNTY, NEVADA

8
9 EMILY BELLISARIO,)

10 Plaintiff,)

CASE NO. D-20-605263-D

11 vs.)

DEPT. P

12 BRADLEY JOHN BELLISARIO,)

13 Defendant.)

14
15 BEFORE THE HONORABLE LINDA MARIE BELL
DISTRICT COURT JUDGE

16 TRANSCRIPT RE: ALL PENDING MOTIONS

17 THURSDAY, MARCH 4, 2021

18 APPEARANCES:

19 The Plaintiff:

For the Plaintiff:

EMILY BELLISARIO

AMANDA ROBERTS, ESQ.

(Via Bluejeans)

4411 South Pecos Road

Las Vegas, Nevada 89121

(702) 474-7007

22 The Defendant:

For the Defendant:

BRADLEY JOHN BELLISARIO

PRO SE

(Via Bluejeans)

1 LAS VEGAS, NEVADA

THURSDAY, MARCH 4, 2021

2 PROCEEDINGS

3 (THE PROCEEDINGS BEGAN AT 10:31:04)

4

5 MS. ROBERTS: Amanda Roberts, bar number 9294, on
6 behalf of the Plaintiff Emily Bellisario, who's present, Your
7 Honor. She's on Bluejeans, but she is muted right now.

8 THE COURT: All right.

9 THE DEFENDANT: And Brad Bellisario, Defendant.

10 THE COURT: All right. So Mr. Bellisario, you have
11 a motion to disqualify Judge Perry. I've looked at the
12 motion; is there anything that you want to add?

13 THE DEFENDANT: Yeah. Your Honor, so I was served
14 with the Plaintiff's opposition like a little over a day ago,
15 it was like 8:00 p.m. the other night. So I did file a reply
16 to that, just bringing up some of the judicial ethics opinions
17 and I think there was one of this Court's own cases regard to
18 Amado (ph) I think is the name of it.

19 Same factual issues, but basically, you know, Amanda
20 and her husband were, you know, campaigning with Judge Perry,
21 Judge Perry, you know, states how special they are to her, she
22 even after that posts a Facebook post about it's -- it's in my
23 reply, stating literally favor -- stating her favoritism,
24 saying Amanda is one of my favorite people, you know, and we

1 look forward to the -- we look at the January 25th hearing.

2 I think like in Amado, she made decisions without
3 hearing evidence from me, one, because it was an ex parte
4 hearing. But she also proclaims things that were done without
5 any evidence at all, saying that she would -- you know, I'll
6 get this done real quick and that she would grant a motion for
7 order shortening time without even hearing the basis of it.

8 Let's see. Yeah, I -- I just think there's -- you
9 know, that, combined with her -- her statement that, you know,
10 I needed to dry out when she should have had -- there was no
11 evidence of anything related to alcohol in that, plus she
12 received wrong information from Ms. Roberts about why I was
13 arrested.

14 You know, and I attached a couple judicial opinions
15 that are on point basically as to what --

16 THE COURT: Well, so Mr. Bellisario, I have a
17 question about that. So it's a little confusing to me what
18 was happening with the TPOs because it looks like there's more
19 than one.

20 THE DEFENDANT: Yeah, so this -- the -- there was a
21 TPO that was a -- started with a 19, I can't remember what the
22 -- if I could look through I could find it. But that was
23 September of 2019, that was in place.

24 So then in January of 2020, we were in CPS court and

1 we stipulated on the record to dissolve the TPO.

2 THE COURT: Right.

3 THE DEFENDANT: And there was an order entered that
4 said parties stipulate to dissolve the TPO. Well, then
5 afterwards, Emily started saying well, I'm not going to do
6 this, I'm not going to do this, and then she kept claiming
7 harassment and whatever, by saying that me trying to enforce
8 my rights was harassment.

9 So then she took me to court on a motion to compel,
10 saying that she didn't dissolve the TPO, which the Court found
11 she admitted to dissolving the TPO, case closed.

12 So then after that, she kept filing police reports,
13 saying she had an active TPO from that date. So that's what I
14 was arrested on in January of this year, was they claimed I
15 violated a TPO in June of last year, but we had already
16 dissolved the TPO at that point.

17 THE COURT: Okay. So you don't believe that there
18 is more than one TPO?

19 THE DEFENDANT: No, there is. There's one active
20 now, which I'm not in violation of. The one that I --

21 THE COURT: Okay.

22 THE DEFENDANT: -- was arrested for was they'd
23 claimed in June of last year, I was --

24 THE COURT: Right.

1 THE DEFENDANT: -- in violation of the TPO and
2 that's --

3 THE COURT: Right.

4 THE DEFENDANT: -- what I was arrested for, so
5 that's --

6 THE COURT: Right. Okay. All right. Anything
7 else?

8 THE DEFENDANT: No, I -- not at this time. Ms.
9 Roberts?

10 MS. ROBERTS: Your Honor, I'll be brief. I know
11 you've read everything.

12 I just want to be clear that it's my position that
13 this is a very slippery slope. If this Court were to rule as
14 Mr. Bellisario is alleging, that my firm has such a close
15 relationship with Judge Perry that she would be impartial or
16 would be unable to be impartial in all the hearings, then that
17 would essentially preclude her from ruling on any cases that
18 are pending before her involving my law firm.

19 Mr. Bellisario in his reply I -- and I just want to
20 make a record, Your Honor. He was actually served
21 electronically on February 23rd, 2020 and then as part of the
22 OST being granted, we are required under the rules to again
23 serve him, and we personally served him again with the
24 opposition, a copy of the ex parte application, and a copy of

1 the order shortening time with a notice and entry of order.
2 But he was electronically served on the 23rd, which is more
3 than 24 hours ago.

4 So in his reply that he filed this morning, and I
5 will tell the Court I had prior hearings so I did not have a
6 chance to review them in detail, but he does attach a new
7 Facebook post. That Facebook post was from 2020, I believe
8 specifically January of 2020, and involved another hearing in
9 Family Court.

10 It would be extremely inappropriate in my opinion
11 for the Court to base it on what's been posted -- what Mr.
12 Bellisario has presented.

13 Additionally, Your Honor, in the reply, he raises
14 that I filed the peremptory challenge against Judge Perry as a
15 way to essentially save face because I knew that she would be
16 ruling in my favor. That's exactly inapprop -- it's -- it's -
17 - first of all, it's inappropriate and that is not true. In
18 fact, on that day that I filed the peremptory challenge in
19 this case and other cases in which Judge Perry was presiding,
20 I also filed peremptory challenges, and those cases were
21 reassigned to new judges and they are proceeding in front of
22 those new judges.

23 I essentially on that day filed multiple peremptory
24 challenges against Judge Perry and I did not file this one in

1 any other vein other than pursuant to the rules and I believe
2 that Judge Harter's ruling was inappropriate. However, as we
3 put in the OST, this case needs a judge. So for me to appeal
4 or file a writ on that ruling from Judge Harter would have
5 delayed a potential ruling in this case for my client, which
6 is what needs to happen.

7 I -- it is my position that it does not matter who
8 rules on this case. As Mr. Bellisario's behavior has shown,
9 he will just simply be unhappy with anything that's ruled upon
10 and will file just another request to remove the new Judge,
11 whoever it is, if it's not Judge Perry.

12 There were three TPOs in this matter. The first one
13 T-19-200357-T was the first one filed by my client. That one
14 was filed on the day that the incident happened to commence
15 everything, which was September 17th of 2019. My client then,
16 with the assistance of SafeNest, the very next day, filed T-
17 19-200404-T. That one is an active TPO. It was extended
18 until September 17th of 2020, and there was no order ever
19 filed that had anything to do with that TPO.

20 If the Court looked at the exhibits that Mr.
21 Bellisario has given, there was never an active order filed to
22 dissolve or dismiss that TPO. And then there was another one
23 issued, T-20-206639-T, which is the one that's pending
24 currently and has been extended through May 10th of 2021 at

1 this point.

2 So there have been three --

3 THE COURT: When was the -- when was the third one
4 issued?

5 THE DEFENDANT: That will be two, I think. That's
6 not -- that's not three.

7 MS. ROBERTS: The third one being the T-20, Your
8 Honor?

9 THE COURT: Yeah.

10 MS. ROBERTS: July 6th -- oh sorry. It was filed
11 July 6th, granted temporarily on July 6th, served on July 8th,
12 extended on July 30th, all of 2020. And there was a notice of
13 entry of order filed August 25th of 2020 on the extension
14 order that extended it until May 10th of 2021.

15 THE COURT: All right. So Ms. Roberts, I don't
16 really understand, because it appeared to me that from the
17 hearing -- from the information I had from the hearing where
18 the lawyers agreed to dissolve the TPO, it was because there
19 was some thought that it wasn't necessary.

20 MS. ROBERTS: I think the Court -- are you referring
21 to the J-case, Your Honor?

22 THE COURT: To the -- right. So in --

23 MS. ROBERTS: So I was not the --

24 THE COURT: -- the CPS --

1 MS. ROBERTS: Sorry.

2 THE COURT: -- case, the lawyers both agreed to
3 dissolve the TPO. I mean, I certainly got the impression from
4 reading that, that the intention of the parties was for there
5 to be no TPO.

6 MS. ROBERTS: So if the Court looked at what
7 happened, Your Honor, Mr. -- that may have been what happened.
8 I do not have access to the J-case, Your Honor. I was not her
9 attorney of record and that's the only person that can have
10 access to that. I did not go into the J-case. The -- if --

11 THE COURT: Well, it was attached --

12 MS. ROBERTS: -- regardless of what --

13 THE COURT: -- the -- I mean, I didn't go in the J-
14 case either, I just read what was filed with the Court.

15 MS. ROBERTS: And what was filed with the Court if
16 you look at it, Your Honor, does not have a TPO case number.
17 That is not even a case number that is assigned to a TPO. It
18 was never assigned to a TPO in this case. So that's why I
19 assumed that there was some order issued in the J-case that I
20 was not privy to, and that Mr. Bellisario did not understand.

21 If the Court specifically looks at it, it is a
22 different number than any of the T numbers that we've been
23 provided. If you give me just a second, Your Honor, I'll pull
24 it for you.

1 THE DEFENDANT: Yeah, I can clarify that.

2 MS. ROBERTS: Sorry, there have been so many mot --
3 oppositions filed in the last couple days, Your Honor, let me
4 --

5 THE DEFENDANT: Yeah, if -- if you look at the --
6 the order entered by the TPO --

7 THE COURT: Hang on. Hang on, Mr. Bellisario. Hold
8 on.

9 THE DEFENDANT: Okay.

10 (Pause)

11 MS. ROBERTS: Here, I found it, Your Honor. Let me
12 get -- sorry, it was the wrong on, Your Honor. There's just
13 so many things that have been filed. Let me see if I can find
14 it in the PDF file.

15 (Pause)

16 MS. ROBERTS: Oh, it's right here, Your Honor. It's
17 in the filing that was made February 19th.

18 THE COURT: All right.

19 MS. ROBERTS: Let me get to it. It lists a case
20 number 051569, and that is no case that's ever been issued in
21 any of the T-cases that have involved my client as the
22 applicant and Mr. Bellisario as the Respondent. It's Exhibit
23 -- it's page 56 in there. They're not bates stamped, Your
24 Honor, so I can't give you the bates stamp number. It looks

1 like it's Exhibit G, as in George.

2 So I do not know where that case number came from,
3 but the TPO, by virtue of the fact that there's an error,
4 whether it was intention -- I mean, what -- my client didn't
5 sign off on it. This is an error -- this is an order that Mr.
6 Tilman on behalf of Mr. Bellisario filed ex parte, and that
7 contains a case number that has nothing to do with these
8 parties. And what Mr. Bellisario was arrested on, Your Honor,
9 dealt with violations on July 6th of '20, and there was an
10 active TPO at that time.

11 We've given the Court the amended complaint in that
12 case, it shows essentially what he did on that day is called
13 my client and harassed her via telephone and then sent
14 messages to her in which he said -- sorry, Your Honor, I've
15 got to find that again. I didn't pull that up. Let me find
16 it, sorry.

17 (Pause)

18 MS. ROBERTS: In which he said to her, and I quote,
19 going to murder you, you slut. Then it goes on. I'm going to
20 kill you before the 935TH slutbag. We had a hearing coming up
21 the 30th, so we believe that he was intoxicated on that night
22 and sent her those text messages.

23 Those are on top of the calls he made to her on July
24 26th, and those were the bases of the arrest. And there was

1 an active TPO when he did that.

2 Additionally, he was harassing her family and
3 friends and that is a portion of what is before the criminal
4 court.

5 THE COURT: Got it. Like, we're not here on the TPO
6 thing, although, it's quite a shame, honestly.

7 THE DEFENDANT: Can I address that for a second?

8 THE COURT: Hang on.

9 THE DEFENDANT: Okay.

10 THE COURT: I was just trying to figure out because
11 -- and I cannot find now the --

12 (Pause)

13 THE COURT: It just seemed to me quite clear that
14 the intention of the parties were -- was to dissolve any
15 existing TPO at that hearing date, which is probably not
16 really even relevant. All right.

17 So anything else?

18 THE DEFENDANT: I mean, I was just going to address
19 that. The TPO case, it was just a scrivener's error. That's
20 the only TPO that had been issued at that point, and it was
21 just the -- the number of the temporary I think is what got
22 put on there instead of the extended. And then what she's
23 saying I got arrested for, issues from July of 2020, that's
24 incorrect. As you'll note in the arrest report of the

1 criminal complaint, it shows -- it says June 11th, 2020, and
2 that case is already dismissed.

3 The issue with she's saying I was arrested for July
4 6th, that case was already -- I -- I was already arraigned on
5 it in July. All they did was dismiss that, re-file it in the
6 new case when they arrested me in January, and claim that then
7 I needed house arrest because they filed it in the new case.
8 But it was the same thing from before, so. And they already
9 dismissed the new charge that they arrested me on in January,
10 so.

11 THE COURT: Okay. I mean --

12 THE DEFENDANT: But I don't think that's entirely
13 relevant.

14 THE COURT: I don't think it's entirely relevant,
15 although, Mr. Bellisario, I've got to say this -- the -- look,
16 I understand that this is a really complex relationship and
17 there's a lot of really bad feelings here, but you know,
18 you've got to co-parent with this person. Like --

19 THE DEFENDANT: I've been trying to do, Your Honor,
20 and so --

21 THE COURT: I mean, some of the things that you've
22 said here are -- are not something you should say to the
23 mother of your children, no matter how mad you are or how bad
24 a job you think she's doing or any of that, right?

1 THE DEFENDANT: I understand and --
2 THE COURT: Do you --
3 THE DEFENDANT: -- those things she's done --
4 THE COURT: Do --
5 THE DEFENDANT: -- shouldn't be made --
6 THE COURT: I don't think --
7 THE DEFENDANT: -- (indiscernible).
8 THE COURT: I don't think you do.
9 THE DEFENDANT: I do understand. Since July,
10 nothing has happened.
11 THE COURT: Well -- okay. But what do you suppose
12 that does to your kids?
13 THE DEFENDANT: I mean, to be honest, you don't know
14 all the information, so I'm saying --
15 THE COURT: Okay.
16 THE DEFENDANT: -- I'm dealing with it, I've
17 accepted it, I'm trying to move on, and nothing has happened
18 since July. So that's --
19 THE COURT: All right. Just -- well, unlike the
20 judges in the Family Division, I don't see these cases in and
21 out everyday and --
22 THE DEFENDANT: Right.
23 THE COURT: -- so I find all of this and I'm not
24 saying it's one-sided, because typically these things are not,

1 but I find all of it a little bit shocking from somebody I
2 would expect a little more from, to know a little better,
3 right?

4 THE DEFENDANT: There's -- there's other issues.

5 THE COURT: I'm sure -- I am sure that your kids are
6 your priority.

7 THE DEFENDANT: Right. I mean, that's why I'm --

8 THE COURT: You're not going to disagree with me on
9 that, are you, right? I mean, they're your priority.

10 THE DEFENDANT: (Indiscernible), I haven't seen them
11 in six weeks and I've been trying to see them, so.

12 THE COURT: I know, and I know that the situations
13 can be super frustrating, it's just you don't help yourself
14 any.

15 THE DEFENDANT: I know. I -- I understand. I mean,
16 I'm trying to do the right things now and it's --

17 THE COURT: Okay. Good.

18 THE DEFENDANT: -- still frustrating because like,
19 you know, I -- I go to the police for help and then they claim
20 it's harassment, so it's -- I -- no matter what I do, I can't
21 seem to do something right, so.

22 THE COURT: Okay. Well, it's just -- I mean, you
23 know there's a right way and a wrong way to go about handling
24 those things, right?

1 THE DEFENDANT: Right. I understand.

2 THE COURT: Okay. All right. But you're right,
3 that's not why we're here. We're just trying to figure out
4 what's going on with Judge Perry.

5 So was there anything else that you want to say
6 about that?

7 THE DEFENDANT: I mean, nothing else that's not in
8 my reply. I did the reply just so it would be on the record
9 if I needed to do a --

10 THE COURT: Yeah, great. All right. Ms. Roberts,
11 anything else that you want to say?

12 MS. ROBERTS: No, Your Honor. I'd just ask if
13 possible that you not take this under advisement, because
14 there are so many issues pending that need to be resolved, and
15 by doing that, these parties are going to go -- continue to go
16 without any possible judge to hear this matter.

17 THE COURT: Yeah. You have -- when is your next
18 hearing?

19 MS. ROBERTS: The only hearing that's pending, Your
20 Honor, is a hearing before discovery. Everything else has
21 been vacated because of the motions before you. So as a
22 result, there is nothing pending at the present time that I am
23 aware of.

24 THE COURT: I show 3/17 -- yeah, there's a motion to

1 compel and then there's a -- I guess a countermotion.

2 MS. ROBERTS: That was put in error. Yes, Your
3 Honor. That was filed in error and I believe that -- my
4 understanding is that will be vacated, unless the Court
5 doesn't rule --

6 THE COURT: Is the countermotion a motion -- is it a
7 countermotion to the 3/17 motion?

8 THE DEFENDANT: I think it's a countermotion to one
9 that was already vacated.

10 MS. ROBERTS: So Mr. Bellisario filed essentially
11 five -- we think it's seven motions in a 30-day period, so I
12 had to respond to those before they were vacated. And so what
13 they did is set my coun -- my opposition and countermotion on
14 the calendar, even though they had vacated everything else. I
15 believe it will be vacated, too, the one that's said on April
16 1st.

17 THE COURT: Well, I can do that today if you agree
18 that it shouldn't be on.

19 MS. ROBERTS: It shouldn't be on, Your Honor.

20 THE DEFENDANT: Correct.

21 THE COURT: Okay. So --

22 MS. ROBERTS: And then the only thing that should
23 remain is the motion to compel. That is being heard by the
24 discovery commissioner, Your Honor.

1 THE COURT: The 3/17 motion?
2 MS. ROBERTS: Correct, Your Honor.
3 THE COURT: Okay. Great. Great.
4 Well, I am not going to -- I will issue a written
5 decision within the week, by the -- by Monday.
6 THE DEFENDANT: Okay.
7 THE COURT: So it won't delay anything, but I'm
8 going to -- I want to just do this all in writing. All right.
9 Thank you, everybody.
10 THE DEFENDANT: Thank you, Your Honor.
11 MS. ROBERTS: Thank you, Your Honor.
12 (PROCEEDINGS CONCLUDED AT 10:52:01)
13 * * * * *
14 ATTEST: I do hereby certify that I have truly and
15 correctly transcribed the digital proceedings in the above-
16 entitled case to the best of my ability.
17
18 /s/ Kimberly C. McCright
19 Kimberly C. McCright, CET
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1 **DAO**

2 **EIGHTH JUDICIAL DISTRICT COURT**
3 **CLARK COUNTY, NEVADA**

4
5 EMILY BELLISARIO,

6 Plaintiff,

7 vs.

Case No. D-20-605263-D

8 BRADLEY BELLISARIO,

Dept. No. P

9 Defendant.

10
11 **DECISION AND ORDER**

12
13 Bradley Bellisario filed a motion to disqualify Judge Perry on February 11, 2021. Mr.
14 Bellisario alleges that Judge Perry's decisions, rulings, and alleged relationship with plaintiff's
15 counsel demonstrate bias or prejudice against Mr. Bellisario. Mr. Bellisario's request to disqualify
16 Judge Perry is denied. Ms. Bellisario's counter-motion for attorney's fees is also denied.

17
18 **I. Factual and Procedural Background**

19 This is a highly contentious divorce action involving custody of the parties' three children.
20 The case was initiated in March 2020 and randomly assigned to Judge Pomeranze in Department P.
21 Judge Perry began serving in Department P as of January 1, 2021. Following a series of peremptory
22 challenges by both parties, the matter was re-assigned to Department P by Judge Harter on January
23 20, 2021. Judge Perry scheduled a status check hearing on January 25, 2021. On February 5, Ms.
24 Bellisario filed an ex parte application for order shortening time to extend an order for protection
25 against Mr. Bellisario which Judge Perry granted and scheduled for February 11. The TPO in Case
26 No. T-20-206639-T was initially granted in July 2020 and extended to August 25, 2021. Mr.
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LINDA MARIE BELL
DISTRICT JUDGE
DEPARTMENT VII

1 Bellisario's motion to dissolve the TPO was scheduled for a hearing on February 8 which was also
2 moved to February 11. Judge Perry denied Mr. Bellisario's subsequent ex parte motion to continue
3 the February 11 hearing. Mr. Bellisario was arrested for violating the TPO on January 23 while he
4 was dropping off the children with Ms. Bellisario and therefore unable to attend the January 25
5 hearing.

6 At the hearing, Judge Perry inquired about the status of discovery, Mr. Bellisario's law
7 practice, and the circumstances leading to his arrest. Judge Perry also suggested to Attorney Roberts
8 that she file a motion on order shortening time to temporarily modify visitation and extend the TPO
9 given recent issues between the parties. The hearing lasted less than ten minutes and was continued
10 until March 1 for Mr. Bellisario's presence. Mr. Bellisario filed the instant motion to disqualify
11 Judge Perry on February 11, alleging that Judge Perry gave improper legal advice and allowed
12 Attorney Roberts to make ex parte arguments during the January 25 hearing. Mr. Bellisario also
13 alleges that Judge Perry has close personal relationships with Attorney Roberts and Ms. Roberts'
14 law practice partner, Jason Stoffel, which demonstrate that Judge Perry is biased toward Ms.
15 Bellisario and therefore cannot impartially make decisions in this matter.

16 Judge Perry timely filed a response to Mr. Bellisario's motion denying any bias or prejudice
17 against Mr. Bellisario based on her professional relationships with Attorneys Roberts and Stoffel.
18 Judge Perry notes that any information provided to her during the January 25 hearing by Attorney
19 Roberts may be refuted by him at the March 1 hearing. Ms. Bellisario filed an opposition and
20 counter motion for attorneys' fees on February 23 denying any ex parte communication with Judge
21 Perry and requesting attorneys' fees accrued to respond to Mr. Bellisario's motion.
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II. Discussion

A. Legal Standard

Nevada Revised Statute 1.230 provides the statutory grounds for disqualifying district Court judges. The statute in pertinent part provides:

1. A judge shall not act in an action or proceeding when the judge entertains actual bias or prejudice for or against one of the parties to the action.
2. A judge shall not act as such in an action or proceeding when implied bias exists in any of the following respects:
 - (a) When the judge is a party to or interested in the action or proceeding.
 - (b) When the judge is related to either party by consanguinity or affinity within the third degree.
 - (c) When the judge has been attorney or counsel for either of the parties in the particular action or proceeding before the court.
 - (d) When the judge is related to an attorney or counselor for either of the parties by consanguinity or affinity within the third degree. This paragraph does not apply to the presentation of ex parte or contested matters, except in fixing fees for an attorney so related to the judge.

The Revised Nevada Code of Judicial Conduct provides substantive grounds for judicial disqualification. Pursuant to NCJC 2.11(A):

(A) A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to the following circumstances:

- (1) The judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of facts that are in dispute in the proceeding.

A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might be reasonably questioned. Ybarra v. State, 247 P.3d 269, 271 (Nev. 2011). The test for whether a judge's impartiality might be reasonably questioned is objective and courts must decide whether a reasonable person, knowing all the facts, would harbor reasonable doubts about a judge's impartiality. Id. at 272.

The moving party bears the burden of establishing sufficient factual and legal grounds warranting disqualification. Las Vegas Downtown Redevelopment Agency v. District Court, 5 P.3d 1059, 1061 (Nev. 2000). A judge has a duty to preside to the conclusion of all proceedings, in the absence of some statute, rule of court, ethical standard, or compelling reason otherwise. Id. A judge

1 is presumed to be unbiased. Millen v. District Court, 148 P.3d 694, 701 (Nev. 2006). A judge is
2 presumed to be impartial, and the burden is on the party asserting the challenge to establish
3 sufficient factual grounds warranting disqualification. Yabarra, 247 P.3d at 272. Additionally, the
4 Court must give substantial weight to a judge's determination that the judge may not voluntarily
5 disqualify themselves, and the judge's decision cannot be overturned in the absence of clear abuse of
6 discretion. In re Pet. To recall Dunleavy, 769 P.2d 1271, 1274 (Nev. 1988).

7
8 The Nevada Supreme Court has stated "rulings and actions of a judge during the course of
9 official judicial proceedings do not establish legally cognizable grounds for disqualifications." Id. at
10 1275. The personal bias necessary to disqualify must "stem from an extrajudicial source and result
11 in an opinion on the merits on some basis other than what the judge learned from participation in the
12 case." Id. "To permit an allegation of bias, partially founded upon a justice's performance of his [or
13 her] constitutionally mandated responsibilities, to disqualify that justice from discharging those
14 duties would nullify the court's authority and permit manipulation of justice, as well as the court."
15 Id.

16
17 **B. Disqualification is not warranted because Mr. Bellisario has not established sufficient**
18 **factual and legal grounds for disqualification.**

19 Mr. Bellisario argues that the existence of Judge Perry's friendship and communications with
20 Attorneys Roberts and Stoffel on Facebook is sufficient for this Court to find that Judge Perry is
21 biased or prejudiced against him. Judge Perry admits that she made the December 2019 post
22 thanking Ms. Roberts and Mr. Stoffel but explained that her appreciation was for their assistance in
23 appearing for some of her clients while she was undergoing necessary medical treatment at the end
24 of 2019. In regard to the 2014 Facebook post, Judge Perry was on the campaign trail participating in
25 a radio interview alongside Attorneys Roberts and Stoffel over five years ago.
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1 Here, Mr. Bellisario failed to establish that Judge Perry's decisions and rulings were made on
2 any basis other than she learned during her participation in court proceedings on this matter. The fact
3 that Judge Perry is or was Facebook friends with Ms. Roberts does not in itself indicate that Judge
4 Perry is somehow biased against Mr. Bellisario.

5 Mr. Bellisario also asserts that a conflict exists because Judge Perry suggested and later
6 granted a motion for order shortening time on a motion modifying visitation, adding Mr. Bellisario's
7 business, and other related issues. However, EDCJ 2.26 provides that a court may grant an ex parte
8 motion for order shortening time so long as the party describes sufficient cause for shortening time
9 and the hearing date is not shortened to less than one day. Here, Ms. Bellisario filed the motion for
10 OST on February 8 and the hearing date was shortened to February 11, providing Mr. Bellisario
11 three days to respond. Judge Perry's grant of the motion was proper under EJDC.
12

13 **C. Ms. Bellisario's countermotion for attorney's fees and costs is denied.**
14

15 NRS 1.235(6) provides that "A judge may challenge an affidavit alleging bias or prejudice
16 by filing a written answer with the clerk of the court within 5 judicial days after the affidavit is
17 filed." NRS 1.235 does not require the non-moving party to file any responsive pleadings after the
18 other party files a motion for disqualification. Ms. Bellisario was not required to file any responsive
19 pleadings after Mr. Bellisario filed a motion for disqualification of Judge Perry. Therefore, Ms.
20 Bellisario's countermotion for attorney's fees and costs is denied.
21

22 ///

III. Conclusion

Mr. Bellisario's allegations do not support a finding that Judge Perry's Facebook friendship, posts, or decisions and rulings in this case demonstrate any bias or prejudice against him. Judge Perry also has not made statements that show a deep-seated favoritism or antagonism towards either party nor does the record reflect that she abused her discretion. NRS 1.235 did not require Ms. Bellisario to respond to Mr. Bellisario's motion to disqualify Judge Perry. Mr. Bellisario's request to disqualify Judge Perry and Ms. Bellisario's countermotion for attorneys' fees are therefore denied.

Dated this 9th day of March, 2021



05B 909 1778 EC92
Linda Marie Bell
District Court Judge

1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 Emily Bellisario, Plaintiff

CASE NO: D-20-605263-D

7 vs.

DEPT. NO. Department P

8 Bradley John Bellisario,
9 Defendant.

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Decision and Order was served via the court's electronic eFile system
14 to all recipients registered for e-Service on the above entitled case as listed below:

Service Date: 3/9/2021

15 Amanda Roberts

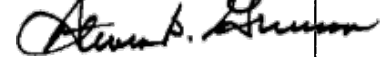
efile@lvfamilylaw.com

16 Bradley Bellisario

bradb@bellisariolaw.com

17 Bradley Bellisario

bradb@bellisariolaw.com



1 **NEOJ**

2 Amanda M. Roberts, Esq.
3 State Bar of Nevada No. 9294

4 **ROBERTS STOFFEL FAMILY LAW GROUP**

5 4411 S. Pecos Road
6 Las Vegas, Nevada 89121

7 PH: (702) 474-7007

8 FAX: (702) 474-7477

9 EMAIL: efile@lvfamilylaw.com

10 Attorneys for Plaintiff, Emily Bellisario

11 **DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 EMILY BELLISARIO,

) Case No: D-20-605263-D

) Dept No: P

14 Plaintiff,

)

15 v.

)

) **NOTICE OF ENTRY OF
DECISION AND ORDER**

16 BRADLEY BELLISARIO,

)

17 Defendant.

)

)

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1 PLEASE TAKE NOTICE a Decision and Order was duly entered on the 9th
2 day of March, 2021, a copy of which is attached hereto and fully incorporated
3 herein by reference.
4

5 DATED this 9th day of March, 2021.

6 **ROBERTS STOFFEL FAMILY**
7 **LAW GROUP**

8
9 By: Amanda M. Roberts

10 Amanda M. Roberts, Esq.
11 State of Nevada Bar No. 9294
12 4411 South Pecos Road
13 Las Vegas, Nevada 89121
14 PH: (702) 474-7007
15 FAX: (702) 474-7477
16 EMAIL: efile@lvfamilylaw.com
17 Attorney for Plaintiff
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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Roberts Stoffel Family Law Group,
and on the 9th day of March, 2021, I served by and through Wiz-Net electronic
service, pursuant to Clark County District Court Administrative Order 14-2 for
service of documents identified in Rule 9 of the N.E.F.C.R., the foregoing
NOTICE OF ENTRY OF DECISION AND ORDER, to the following:

Bradley Bellisario
Email: Bradb@bellisariolaw.com
Defendant

By: Amanda M. Roberts
Employee of Roberts Stoffel Family Law Group

1 **DAO**

2 **EIGHTH JUDICIAL DISTRICT COURT**

3 **CLARK COUNTY, NEVADA**

4
5 EMILY BELLISARIO,

6 Plaintiff,

7 vs.

Case No. D-20-605263-D

8 BRADLEY BELLISARIO,

Dept. No. P

9 Defendant.

10
11 **DECISION AND ORDER**

12
13 Bradley Bellisario filed a motion to disqualify Judge Perry on February 11, 2021. Mr.
14 Bellisario alleges that Judge Perry's decisions, rulings, and alleged relationship with plaintiff's
15 counsel demonstrate bias or prejudice against Mr. Bellisario. Mr. Bellisario's request to disqualify
16 Judge Perry is denied. Ms. Bellisario's countermotion for attorney's fees is also denied.

17
18 **I. Factual and Procedural Background**

19 This is a highly contentious divorce action involving custody of the parties' three children.
20 The case was initiated in March 2020 and randomly assigned to Judge Pomeranze in Department P.
21 Judge Perry began serving in Department P as of January 1, 2021. Following a series of peremptory
22 challenges by both parties, the matter was re-assigned to Department P by Judge Harter on January
23 20, 2021. Judge Perry scheduled a status check hearing on January 25, 2021. On February 5, Ms.
24 Bellisario filed an ex parte application for order shortening time to extend an order for protection
25 against Mr. Bellisario which Judge Perry granted and scheduled for February 11. The TPO in Case
26 No. T-20-206639-T was initially granted in July 2020 and extended to August 25, 2021. Mr.
27
28

LINDA MARIE BELL
DISTRICT JUDGE
DEPARTMENT VII

1 Bellisario's motion to dissolve the TPO was scheduled for a hearing on February 8 which was also
2 moved to February 11. Judge Perry denied Mr. Bellisario's subsequent ex parte motion to continue
3 the February 11 hearing. Mr. Bellisario was arrested for violating the TPO on January 23 while he
4 was dropping off the children with Ms. Bellisario and therefore unable to attend the January 25
5 hearing.

6 At the hearing, Judge Perry inquired about the status of discovery, Mr. Bellisario's law
7 practice, and the circumstances leading to his arrest. Judge Perry also suggested to Attorney Roberts
8 that she file a motion on order shortening time to temporarily modify visitation and extend the TPO
9 given recent issues between the parties. The hearing lasted less than ten minutes and was continued
10 until March 1 for Mr. Bellisario's presence. Mr. Bellisario filed the instant motion to disqualify
11 Judge Perry on February 11, alleging that Judge Perry gave improper legal advice and allowed
12 Attorney Roberts to make ex parte arguments during the January 25 hearing. Mr. Bellisario also
13 alleges that Judge Perry has close personal relationships with Attorney Roberts and Ms. Roberts'
14 law practice partner, Jason Stoffel, which demonstrate that Judge Perry is biased toward Ms.
15 Bellisario and therefore cannot impartially make decisions in this matter.

16 Judge Perry timely filed a response to Mr. Bellisario's motion denying any bias or prejudice
17 against Mr. Bellisario based on her professional relationships with Attorneys Roberts and Stoffel.
18 Judge Perry notes that any information provided to her during the January 25 hearing by Attorney
19 Roberts may be refuted by him at the March 1 hearing. Ms. Bellisario filed an opposition and
20 counter motion for attorneys' fees on February 23 denying any ex parte communication with Judge
21 Perry and requesting attorneys' fees accrued to respond to Mr. Bellisario's motion.
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II. Discussion

A. Legal Standard

Nevada Revised Statute 1.230 provides the statutory grounds for disqualifying district Court judges. The statute in pertinent part provides:

1. A judge shall not act in an action or proceeding when the judge entertains actual bias or prejudice for or against one of the parties to the action.
2. A judge shall not act as such in an action or proceeding when implied bias exists in any of the following respects:
 - (a) When the judge is a party to or interested in the action or proceeding.
 - (b) When the judge is related to either party by consanguinity or affinity within the third degree.
 - (c) When the judge has been attorney or counsel for either of the parties in the particular action or proceeding before the court.
 - (d) When the judge is related to an attorney or counselor for either of the parties by consanguinity or affinity within the third degree. This paragraph does not apply to the presentation of ex parte or contested matters, except in fixing fees for an attorney so related to the judge.

The Revised Nevada Code of Judicial Conduct provides substantive grounds for judicial disqualification. Pursuant to NCJC 2.11(A):

(A) A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to the following circumstances:

- (1) The judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of facts that are in dispute in the proceeding.

A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might be reasonably questioned. Ybarra v. State, 247 P.3d 269, 271 (Nev. 2011). The test for whether a judge's impartiality might be reasonably questioned is objective and courts must decide whether a reasonable person, knowing all the facts, would harbor reasonable doubts about a judge's impartiality. Id. at 272.

The moving party bears the burden of establishing sufficient factual and legal grounds warranting disqualification. Las Vegas Downtown Redevelopment Agency v. District Court, 5 P.3d 1059, 1061 (Nev. 2000). A judge has a duty to preside to the conclusion of all proceedings, in the absence of some statute, rule of court, ethical standard, or compelling reason otherwise. Id. A judge

1 is presumed to be unbiased. Millen v. District Court, 148 P.3d 694, 701 (Nev. 2006). A judge is
2 presumed to be impartial, and the burden is on the party asserting the challenge to establish
3 sufficient factual grounds warranting disqualification. Yabarra, 247 P.3d at 272. Additionally, the
4 Court must give substantial weight to a judge's determination that the judge may not voluntarily
5 disqualify themselves, and the judge's decision cannot be overturned in the absence of clear abuse of
6 discretion. In re Pet. To recall Dunleavy, 769 P.2d 1271, 1274 (Nev. 1988).

7
8 The Nevada Supreme Court has stated "rulings and actions of a judge during the course of
9 official judicial proceedings do not establish legally cognizable grounds for disqualifications." Id. at
10 1275. The personal bias necessary to disqualify must "stem from an extrajudicial source and result
11 in an opinion on the merits on some basis other than what the judge learned from participation in the
12 case." Id. "To permit an allegation of bias, partially founded upon a justice's performance of his [or
13 her] constitutionally mandated responsibilities, to disqualify that justice from discharging those
14 duties would nullify the court's authority and permit manipulation of justice, as well as the court."
15 Id.

16
17 **B. Disqualification is not warranted because Mr. Bellisario has not established sufficient**
18 **factual and legal grounds for disqualification.**

19 Mr. Bellisario argues that the existence of Judge Perry's friendship and communications with
20 Attorneys Roberts and Stoffel on Facebook is sufficient for this Court to find that Judge Perry is
21 biased or prejudiced against him. Judge Perry admits that she made the December 2019 post
22 thanking Ms. Roberts and Mr. Stoffel but explained that her appreciation was for their assistance in
23 appearing for some of her clients while she was undergoing necessary medical treatment at the end
24 of 2019. In regard to the 2014 Facebook post, Judge Perry was on the campaign trail participating in
25 a radio interview alongside Attorneys Roberts and Stoffel over five years ago.
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1 Here, Mr. Bellisario failed to establish that Judge Perry's decisions and rulings were made on
2 any basis other than she learned during her participation in court proceedings on this matter. The fact
3 that Judge Perry is or was Facebook friends with Ms. Roberts does not in itself indicate that Judge
4 Perry is somehow biased against Mr. Bellisario.

5 Mr. Bellisario also asserts that a conflict exists because Judge Perry suggested and later
6 granted a motion for order shortening time on a motion modifying visitation, adding Mr. Bellisario's
7 business, and other related issues. However, EDCJ 2.26 provides that a court may grant an ex parte
8 motion for order shortening time so long as the party describes sufficient cause for shortening time
9 and the hearing date is not shortened to less than one day. Here, Ms. Bellisario filed the motion for
10 OST on February 8 and the hearing date was shortened to February 11, providing Mr. Bellisario
11 three days to respond. Judge Perry's grant of the motion was proper under EJDC.
12

13 **C. Ms. Bellisario's countermotion for attorney's fees and costs is denied.**
14

15 NRS 1.235(6) provides that "A judge may challenge an affidavit alleging bias or prejudice
16 by filing a written answer with the clerk of the court within 5 judicial days after the affidavit is
17 filed." NRS 1.235 does not require the non-moving party to file any responsive pleadings after the
18 other party files a motion for disqualification. Ms. Bellisario was not required to file any responsive
19 pleadings after Mr. Bellisario filed a motion for disqualification of Judge Perry. Therefore, Ms.
20 Bellisario's countermotion for attorney's fees and costs is denied.
21

22 ///

III. Conclusion

Mr. Bellisario's allegations do not support a finding that Judge Perry's Facebook friendship, posts, or decisions and rulings in this case demonstrate any bias or prejudice against him. Judge Perry also has not made statements that show a deep-seated favoritism or antagonism towards either party nor does the record reflect that she abused her discretion. NRS 1.235 did not require Ms. Bellisario to respond to Mr. Bellisario's motion to disqualify Judge Perry. Mr. Bellisario's request to disqualify Judge Perry and Ms. Bellisario's countermotion for attorneys' fees are therefore denied.

Dated this 9th day of March, 2021



05B 909 1778 EC92
Linda Marie Bell
District Court Judge

1 CSERV

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA

4
5
6 Emily Bellisario, Plaintiff

CASE NO: D-20-605263-D

7 vs.

DEPT. NO. Department P

8 Bradley John Bellisario,
9 Defendant.

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Decision and Order was served via the court's electronic eFile system
14 to all recipients registered for e-Service on the above entitled case as listed below:

Service Date: 3/9/2021

15 Amanda Roberts

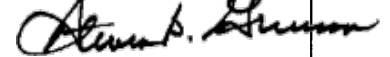
efile@lvfamilylaw.com

16 Bradley Bellisario

bradb@bellisariolaw.com

17 Bradley Bellisario

bradb@bellisariolaw.com



1 **MOTN**

2 Amanda M. Roberts, Esq.
3 State Bar of Nevada No. 9294

4 **ROBERTS STOFFEL FAMILY LAW GROUP**

5 4411 S. Pecos Road
6 Las Vegas, Nevada 89121

7 PH: (702) 474-7007

8 FAX: (702) 474-7477

9 EMAIL: efile@lvfamilylaw.com

10 Attorneys for Plaintiff, Emily Bellisario

11 **DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 EMILY BELLISARIO,) Case No: D-20-605263-D and
14) T-20-206639-T
15 Plaintiff,) Dept No: P
16 v.)

17 BRADLEY BELLISARIO,
18 Defendant.
19)

20 **NOTICE OF MOTION AND MOTION TO**
21 **EXTEND PROTECTION ORDER, JOINING**
22 **BRADLEY'S BUSINESS AS A PARTY TO**
23 **THIS ACTION, APPOINT A RECEIVER FOR**
24 **THE BUSINESS, DEEMING BRADLEY**
25 **VEXATIOUS LITIGATION AND**
26 **CONSOLIDATING CIVIL CASES TO THIS**
27 **ACTION, MODIFYING LEGAL CUSTODY,**
28 **MODIFYING VISITATION, FOR MENTAL**
HEALTH EVALUATION, FOR ORDER TO
SHOW CAUSE AND TO HOLD BRADLEY IN
CONTEMPT, TO REDUCE CHILD SUPPORT
ARREARS TO JUDGMENT, TO REDUCE
TEMPORARY SUPPORT TO JUDGMENT,
FOR AN AWARD OF ATTORNEY'S FEES
AND COSTS, AND RELATED RELIEF.

Date of Hearing:
Time of Hearing:

ORAL ARGUMENT REQUESTED

1 TO: Defendant, Bradley Bellisario, in proper person.

2 **YOU ARE REQUIRED TO FILE A WRITTEN RESPONSE TO THIS**
3 **MOTION WITH THE CLERK OF THE COURT AND TO PROVIDE THE**
4 **UNDERSIGNED WITH A COPY OF YOUR RESPONSE WITHIN**
5 **FOURTEEN (14) DAYS OF YOUR RECEIPT OF THIS MOTION.**
6 **FAILURE TO FILE A WRITTEN RESPONSE WITH THE CLERK OF THE**
7 **COURT WITHIN FOURTEEN (14) DAYS OF YOUR RECEIPT OF THIS**
8 **MOTION MAY RESULT IN THE REQUESTED RELIEF BEING**
9 **GRANTED BY THE COURT WITHOUT A HEARING PRIOR TO THE**
10 **SCHEDULED HEARING DATE.**

11 COMES NOW the Plaintiff, Emily Bellisario, by and through her attorneys,
12 Amanda M. Roberts Esq., of Roberts Stoffel Family Law Group, and hereby moves
13 the Court for the following:

- 14 1. An Order extending the Protection Order;
- 15 2. An Order to correct a clerical error in an Order should be granted;
- 16 3. An Order joining Bradley's business as a Party to this action;
- 17 4. An Order appointing a receiver for Bradley's business pursuant to *NRS*
18 § 32.010;
- 19 5. An Order deeming Bradley a vexatious litigant, and consolidating the
20 other civil cases related to the divorce litigation;
- 21 6. An Order modifying legal custody and granting Emily decision
22 making authority regarding health and education of the minor children
23 pursuant to *Rivero v. Rivero*, 125 Nev. 410, 216 P.3d 213 (2009);
- 24 7. An Order modifying Defendant's visitation, to supervised visitation at
25 Donna's House or Family First, with close supervision component
26 regarding his conversations and statements with the minor children;
- 27 8. An Order for the completion of an *NRCP* § 35 mental evaluation of
28 Bradley;

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9. An Order for the issuance of an Order to Show Cause against Bradley for contempt of Court;
 10. An Order for Bradley to bring the vehicle expenses current, provide proof of registration and insurance;
 11. An Order reducing child support arrears to judgment;
 12. An Order reducing temporary support arrears to judgment;
 13. An Order awarding Emily attorney fees and costs; and
 14. Any and all related relief the Court deems just and proper.

Dated this 9th day of March, 2021.

ROBERTS STOFFEL FAMILY LAW GROUP

By: Amanda M. Roberts

Amanda M. Roberts, Esq.
State of Nevada Bar No. 9294
4411 South Pecos Road
Las Vegas, Nevada 89121
PH: (702) 474-7007
FAX: (702) 474-7477
EMAIL: efile@lvfamilylaw.com
Attorneys for Plaintiff, Emily Bellisario

MEMORANDUM OF POINTS AND AUTHORITIES

I.

Request to Exceed Page Number

The Plaintiff, Emily Bellisario, hereby makes a request pursuant to *EDCR* § 5.503(e)(4), to exceed thirty (30) pages. Specifically, the Plaintiff, Emily

1 Bellisario, seeks to exceed the number of pages by thirteen (13). The reason for the
2 request is that the facts of this case are extremely detailed of the domestic violence,
3 violation of Court Orders, etc.
4

5 **II.**
6 **Statement of Facts**

7 The Parties to this action, the Plaintiff, Emily Bellisario (“Emily”) and the
8 Defendant, Bradley Bellisario (“Bradley”), were married on August 16, 2014. The
9 Parties have three (3) minor children, to wit: Brayden Bellisario (“Brayden”), born
10 January 15, 2015; Blake Bellisario (“Blake”), born November 20, 2016; and
11 Brooklyn Bellisario (“Brooklyn”), February 1, 2018. Brayden is six (6) years old;
12 Blake is four (4) years old; and Brooklyn is nearly three (3) years old.
13
14

15 **Procedural History:**

16 On June 10, 2020, a Stipulation and Order was filed wherein, it was agreed
17 that Dr. Holland would complete a custody evaluation; Brayden would attend
18 therapy with a neutral therapist; Donna Wilburn would be sent a Subpoena for
19 records related to her treatment of Brayden; and Nicholas Ponzo would commence
20 reunification between Bradley and Brayden.
21

22 On July 30, 2020, a hearing was held and Judge Pomrenze issued a finding,
23
24 **“UNTIL BRADLEY GETS SOME HELP, THIS COURT IS NOT READY**
25 **TO EXTEND HIS VISIATION BEYOND SUPERVISED.” {EMPHASIS**
26
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1 **ADDED**;¹ The TPO was extended until May 10, 2021, with notice that any
2 additional violations would result in the TPO being extended to May of 2022.

3
4 Bradley was Ordered to have supervised visitation on Sundays, at Donna's House,
5 from 2:00 p.m. to 4:00 p.m.; and Counsels were to meet and confer regarding the
6 calculation of child support.²

7
8 On October 22, 2020, a hearing was held and the Court Ordered Bradley to
9 commence use of SCRAM; the Court modified Bradley's visitation to Saturdays
10 from 11:00 a.m. to 5:00 p.m. to be supervised by Saira McKinley, Tom McKinley,
11 or Maternal Grandfather along with Paternal Grandmother or Grandfather; the
12 Court Ordered Bradley to turn over financial books and records regarding his
13 income; and Ordered Brayden to remain in therapy.

14
15 On November 24, 2020, a hearing was held regarding Bradley's cooperation
16 in turning over financials and the status of supervised visitation. At that time, Ms.
17 Roberts informed the Court that Bradley had been violating the supervised
18 visitation and not having the agreed upon supervisor(s) present during the entire
19 visitation. At the hearing, the Court Ordered that Bradley had until December 1,
20 2020, to turn over the financial records and books, and if he failed to comply the
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24 ¹ Bradley did sign up for SCRAM monitoring after multiple driving infractions regarding alcohol
25 consumption. However, Bradley has not addressed his temper, violence issues, etc. This is the
26 most important aspect because Bradley has repeatedly threatened Emily, including with the
27 children present.

28 ² There is a clerical error in the Order which provides that the date of separation was 2020, when
in fact it was 2019. The Order needs to be corrected to reflect the correct year.

1 Court recommended an unequal distribution of his assets; for Ms. Roberts to
2 prepare a Schedule of Arrears (child support and spousal support); Defendant to
3 continue to use SCRAM; and modified Bradley's visitation to unsupervised on
4 Saturdays from noon until 4:00 p.m. **Judge Pomrenze stated, "I would like to
5 create incentives for you [Bradley] to stay sober and for you not to lose your
6 temper, and be there for these kids . . . If I can't trust the supervisors, why
7 have supervisors? I do want to lift supervision and have some daytime
8 visitation between the kids and their Dad." (11:21:24)³**

11 **Background History:**

12
13 In this matter, the Parties separated on or about Spring of 2019, when
14 Bradley vacated the residence at 1913 Sondio Drive, Las Vegas, Nevada 89134
15 ("Emily's residence"). Since this time, Bradley has engaged in a pattern of
16 violence and harassment of Emily, driving while under the influence, violation of
17 the Court's Protection Orders ("PO"), violation of Court Orders for supervised
18 visitation, threats towards therapists and attorneys attempting to help Emily, which
19 places the minor child in constant risk of harm when in Bradley's care and should
20 warrant a modification of the currently temporary Orders.
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25 ³ Emily strongly believes this Order was improper. Emily believes the Court is rewarding
26 Bradley for not complying with Court Orders. Emily believes it is improper for the Court to
27 change the trajectory when Bradley has done nothing to address the issues regarding his behavior,
28 domestic violence, temper, etc.

1 On or about August 1, 2019, Bradley was at Emily's residence to care for the
2 children while she went out with her sister for her birthday. Upon returning home
3 at approximately 10:00 p.m., Bradley went into a fit of rage about being left alone
4 for a short time with the children. Bradley stormed out of the house, punching a
5 hole in the wall while leaving.⁴ Bradley slammed the door with such force that it
6 flew back, striking Emily and leaving her left shoulder and arm injured.⁵ Emily's
7 left arm was crushed between the door and door frame, as Emily pushed back to
8 free her arm, Bradley used his right hand to hit the side of Emily's face on the left
9 approximately four to five (4-5) times with his open hand. Bradley, in his rage,
10 threw a broom, Swiffer and another stick at Emily, then grabbed onto the garage
11 door and ripped it off the tracks to the point it was not repairable – it had to be
12 replaced.
13

14 On or about September 16, 2019, Bradley forced himself into Emily's
15 residence.⁶ Emily alleges to gain access, Bradley broke the window to Emily's
16 residence and engaged in domestic violence as defined by *NRS* § 33.018 (1)(e)(3),
17 (5) and (9). The photographs from the incident show Emily's residence with
18 damaged/destroyed electronics; appliances; fixtures; furniture; windows and blinds;
19

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23 ⁴ A photograph taken by Emily is attached to the companion filing as **Exhibit "1"** and is hereby
24 fully incorporated herein by reference.

25 ⁵ Photographs taken by Emily are attached to the companion filing as **Exhibit "2"** and are hereby
26 fully incorporated herein by reference.

27 ⁶ This incident caused the children to be taken by Child Protective Services ("CPS") to Child
28 Haven for approximately one (1) week. Photographs of the damages to Emily's residence are
attached to the companion filing as **Exhibit "3"** and fully incorporated herein by reference.

1 paintings, framed photos, art and portraits; walls; children's toys and furniture; and
2 a multitude of other items.

3
4 Although this is not an all-inclusive list of the damages caused by Bradley, it
5 will provide this Court with an understanding of just how out-of-control he is:

6 Large television pulled off the wall in the living room, another
7 television removed and was thrown from the upper level of the
8 residence onto the lower level, the chandelier from the stairwell was
9 ripped out of the ceiling, back window smashed in, shutters were
10 destroyed, appliances were damaged/destroyed (dishwasher, stove
11 hood, stove top, microwave, and even countertop appliances such as
12 blender and food processor), lamps destroyed, mirrors torn off walls
13 and shattered onto the floor, fish tank shattered (with the fish, water
14 and glass over the kitchen floor), wood floors damaged (scratched,
15 water damage, divots from items being thrown/falling/dragged across),
16 three (3) doors kicked in, dresser knocked over and broken, several
17 cabinet doors were ripped off the cabinet and many were kicked in,
18 dining room table was knocked over and broken, every single chair
19 from the dining room was thrown around the house and into walls and
20 broken, nearly all (if not all) the framed photos were shattered and
21 destroyed causing glass everywhere, many holes in walls throughout
22 the residence either by items getting thrown at the walls or
23 punched/kicked, entire house was covered in broken glass (beds,
24 couch, carpet, rugs) from everything broken and damaged, many wine
25 bottles were thrown onto walls/cabinets/floor, a custom canvas photo
26 of one of the children was damaged when wine bottles were thrown at
27 it covering it in wine and creating holes in it.

28 Items stored in garage were thrown around and damaged which
included a refrigerator which was knocked over and all contents had to
be discarded; storage containers, boxes and miscellaneous items were
thrown and destroyed (many of which were sentimental, holiday and
home décor items). Two (2) high chairs were kicked over and broken,

1 toddler bed kicked over and broken, children's toys thrown throughout
2 house and were damaged and destroyed, the children's trampoline was
3 slashed into pieces and a large knife (presumably the one used to cut
4 up the trampoline) was stuck into a palm tree next to the trampoline.
5 Some of Emily's clothing and personal items were thrown onto the
6 street in front of the residence and hung in the tree out front, many of
7 Emily's clothes left in her closet were slashed with a knife and/or
8 stabbed with holes.

9 During this invasion of Emily's residence, the children were present
10 throughout the ordeal and had to be protected by Emily- the youngest children did
11 not see Bradley's destruction, but Brayden was able to witness the destruction and
12 see Bradley grab Emily by her shoulders, yell in her face and push both Emily and
13 Brayden into a crib sitting in the room where she was trying to hide the children.⁷

14 After living through this ordeal, Brayden started acting out and his academic
15 performance suffered. Prior to September 19, 2019, Bradley had never missed a
16 day of school, and she and Brayden attended all school functions. Brayden was
17 talking to his school guidance counselor regularly,⁸ and Emily maintained
18 communication with his teachers regularly. Brayden's teachers were helpful in
19 helping support Brayden last year. Since August of 2020 when Emily tried to take
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24 ⁷ Emily had to take the children to a shelter that night because she was afraid of what Bradley
25 would do to harm her or the minor children. The repairs to Emily's residence took approximately
26 a month and cost \$32,465.80 to repair.

27 ⁸ Bradley called the school and demanded Brayden no longer speaks with the counselor and
28 indicated Brayden would not be permitted to return to the school the next school year.

1 Brayden to Shenker Academy for a study hall program, Brayden has been
2 struggling to make friends and going to school.

3
4 Emily arranged for Brayden to seek therapy with Donna Wilburn
5 (“Wilburn”). Since this time, Brayden periodically shows signs of trauma
6 including refusing to go with Bradley for visitation despite Emily’s reassurances
7 and attempts to persuade him to attend. Emily repeatedly has encouraged Brayden
8 to visit with Bradley, but he remains fearful. Moreover, when Brayden is in
9 Bradley’s care he is being manipulated to hate his Mother, threaten her with
10 violence and do the same to his Maternal family members. It is not reasonable or
11 logical to believe that a minor child would make claims of violence against his
12 Mom, due to something she has said or done.

13
14
15 On or about June 22, 2020 (a Monday), Bradley showed up at Emily’s house
16 and ran his truck up into Emily’s driveway as he backs out, he strikes the neighbors
17 car.⁹ He then backs up into the neighbor’s car again, causing a light post to fall
18 onto someone vehicle. Bradley’s vehicle can be seen speeding away from Emily’s
19 residence. Bradley then using tracking to determine Emily is at her Father’s
20 address and shows up, acting erratic, until he is arrested by the police. Photographs
21
22
23
24
25

26 ⁹ A copy of the video from the Ring camera is attached to the companion filing as **Exhibit “4”**
27 and is fully incorporated herein by reference.

1 taken by Emily show that Bradley caused damage to the neighbor's vehicle,
2 knocked down a light post and caused damage to his own vehicle.¹⁰
3

4 On or about July 26, 2020, Bradley repeatedly called Emily around
5 midnight.¹¹ When Emily did not answer his calls, Bradley started sending her text
6 messages the first one coming in at approximately 11:53 p.m. which stated, "Gonna
7 murder You slut . . . I'm going to kill you before the 395 th slut bag[.]"¹² **This is**
8 **not the first time that Bradley has threatened to kill Emily, and she believes**
9 **that if given the opportunity he has the ability to engage in this type of**
10 **violence. {EMPHASIS ADDED}**
11

12 On or about November 14, 2020 and November 21, 2020, in violation of the
13 Court's Order regarding supervised visitation, Bradley has Saira McKinley do the
14 exchange with Emily and then Saira allowed Bradley to have the children
15 unsupervised. This was documented by private investigator, Hal DeBecker, who
16 had video and photographs of the incidents.
17

18 On or about November 24, 2020, the Court released Mr. Tilman as Bradley's
19 attorney. Since that time, Bradley has engaged in inappropriate communication
20 with Ms. Roberts. On or about November 30, 2020, Bradley contacted Ms. Roberts
21

22
23
24 ¹⁰ Photographs taken by Emily are attached to the companion filing as **Exhibit "5"** and are fully
incorporated herein by reference.

25 ¹¹ A copy of the call log for Emily's cellular telephone is attached to the companion filing as
Exhibit "6" and is hereby fully incorporated herein by reference.

26 ¹² A copy of the text messages are attached to the companion filing as **Exhibit "7"** and is hereby
27 fully incorporated herein by reference.

1 via telephone and kept interrupting, yelling and was being irate to Ms. Roberts
2 during the telephone call to which, Ms. Roberts informed him if the behavior
3 continued, then she would disconnect the telephone call. On or about December 1,
4 2020, Bradley again contacted Ms. Roberts via telephone and was yelling during
5 the telephone call to which, Ms. Roberts informed him if the behavior continued
6 that she would disconnect the call. In response, Bradley yelled into the receiver,
7 “F*CK YOU AMANDA” and then slammed down the receiver. Additionally,
8 Bradley continually refers to Ms. Roberts as “MASS ROBERTS” or “HEY FAT
9 “F*CK” and requesting responses to emails “after her morning pie.”¹³

10
11
12
13 On or about January 2, 2021, Bradley returned the children to Emily’s
14 residence at approximately 4:30 p.m., which is thirty (30) minutes after the end of
15 Court Ordered visitation. Bradley calls the children back to his vehicle and when
16 they do not return, Bradley picks up their juice boxes and food, leftover from
17 McDonald’s, and throws them at Emily’s house.¹⁴

18
19 On or about January 19, 2021, Brayden was overheard by his tutor telling
20 another child that he was going to “shoot his Mom in the head.” He also was heard
21 saying, “I hate my grandparents and hope they die.” On January 20, 2021, when
22 the tutor attempted to garner Brayden’s focus on schooling, he told the tutor that if
23

24
25 ¹³ Copies of the inappropriate communication to Ms. Roberts, in writing, are attached to the
26 companion filing as **Exhibit “8”** and incorporated herein by reference.

27 ¹⁴ A copy of the Ring video is attached to the companion filing as **Exhibit “9”** and incorporated
28 herein by reference.

1 she tried to make him, that he would “chop you up with an axe and make you die.”

2 This behavior is extremely concerning and Bradley’s continual attempts to interfere
3
4 with Brayden’s therapy by filing repeated lawsuits against his therapists are
5 disheartening because Brayden clearly needs help!

6 **Schedule of Arrears:**

7 On or about July 30, 2020, the Court entered an Order for temporary support
8
9 of Emily. The Court determined that Bradley’s gross monthly income was
10 \$18,000.00 per month; therefore, the Court set child support at \$2,560.00 and
11 temporary support at \$1,000.00 per month. The payments were to commence on or
12 about June 1, 2019.
13

14 On or about February 5, 2021, Emily caused to be filed a Schedule of Arrears
15 related to child support and temporary support. Pursuant to said Schedule of
16 Arrears, Bradley owes Emily child support arrears through February 5, 2021, in the
17 amount of \$20,966.48; and Bradley owes Emily temporary support arrears through
18 February 5, 2021, in the amount of \$22,065.14. A judgment should be issued in
19 Emily’s favor as and for these outstanding amounts owed pursuant to the Court’s
20 Order from November 24, 2020.
21
22

23 **Vehicle Related Issues:**

24 During the Parties’ marriage, Bradley leased a 2018 Ford Explorer for Emily
25 which is solely in Bradley’s name. Through litigation, since fall of 2020, Emily’s
26
27

1 Counsel has repeatedly requested updated insurance information and valid
2 registration. Despite requesting same multiple times, Bradley has refused to
3 provide the information. As such, Emily has been left without the ability to operate
4 the 2018 Forder Explorer. Therefore, Emily has been forced to use a vehicle owned
5 by her Father to get to and from, and care for the children.
6

7
8 **Discovery Issues:**

9 As the Court is aware, Bradley is a licensed attorney in the State of Nevada.
10 Bradley is the managing partner of Bellisario Law, P.C. ("business"), which is a
11 domestic professional corporation. The business was started during the Parties'
12 marriage and is community property subject to distribution by the Court. Online
13 records indicated that Bradley filed a recent lawsuit on November 4, 2020, related
14 to car accident (A-20-824221-C).
15

16 On or about October 22, 2020, the Court Ordered,
17

18 THE COURT FURTHER ORDERS that the Defendant
19 shall deliver to Ms. Roberts immediately his financial
20 books and records regarding his business and income.
21 Ms. Roberts shall keep those records confidential and
22 they are for her review only, they cannot be reviewed by
23 the Plaintiff. The Defendant's compliance with this Order
24 may purge his contempt for failure to pay the child
support and financial support as Ordered. (See Order
filed January 20, 2021, at pages 2 and 3, starting at line
20).

25 Bradley did not comply with the Court Order and never turned over the
26 records related to his practice. Therefore, November 24, 2020, the Court Ordered
27

1 “THE COURT HEREBY ORDERS that the Defendant shall have until the close of
2 business on December 1, 2020, to provide Plaintiff’s Counsel with all of his
3 financial records and business statements to determine Defendant’s income and
4 earnings. If the Defendant fails to comply, this Court recommends that there be an
5 unequal distribution of the assets and debts between the Plaintiff and Defendant.”
6 (See Order filed December 10, 2020 at page 2, lines 5 through 10). Again, despite
7 the Court Orders, Bradley has not provided any financial records in this matter.
8

10 Besides failing to comply with the repeated Orders regarding producing
11 financial records, Bradley has failed to comply with discovery requests in this
12 matter and a Motion to Compel is being filed at the same time as this Motion. The
13 discovery requests were served upon Bradley and/or his prior Counsel on June 10,
14 2020 and December 3, 2020; Bradley has not responded to any of the requests for
15 discovery or made any disclosures pursuant to *NRCP* § 16.2.
16

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1 **Bradley's Voicemails to Marathon Legal Group:¹⁵**

2 On July 2, 2020, the voicemail message is forty (40) seconds in length. The
3 voice was identified as Bradley and was left on the voicemail for Marathon Legal
4 Group. Throughout the voicemail, it is clear that Bradley is slurring his words.

5 The voicemail is a follows:

- 6
- 7 • Hey Boris, F*ck you!
 - 8 • F*cking Boris!
 - 9 • F*ck you!
 - 10 • Driving in your f*cking *inaudible*.
 - 11 • F*cking Bor, f*ck you!
 - 12 • They try to go in there and you want to get them in Joe, Joe's name.
13 That's what I am trying to do. I heard them removing, in Joe's name.
 - 14 • F*ck you Boris!
 - 15 • I am coming for you motherf*cker!
 - 16 • I am coming for you and f*cking Joe!
 - 17 • Enjoy that shit!
 - 18 • F*ck you Boris!
 - 19 • I am f*cking coming for you, you f*cking piece of shit.
 - 20 • F*ck you!

21 The voicemail message is fifty-eight (58) seconds in length, was left on or
22 about September 16, 2020. The voice was identified as Bradley and was left on the
23 voicemail for Marathon Legal Group. Throughout the voicemail, it appears
24 Bradley is slurring his words. The voicemail is as follows:

- 25
- 26 • Hey Boris, Brad Bellisario.
 - 27 • F*cking hilarious.

28

¹⁵ Copies of the voicemail messages are attached to the companion filing as **Exhibit "10"** and incorporated herein by reference.

- Saw a video of Emily contradicting Joe in open Court when he is testifying in open Court.
- F*cking hilarious.
- As I told the Judge, he was lying which Emily proves he was.
- And also she goes, "Oh, Boris Avramski, is my attorney. I don't think he is a good attorney, but he is my friend's Dad. So, whatever."
- F*cking hilarious!
- F*ck you bitch!
- F*ck you, have Joe file more shit on your behalf that you know you are lying on.
- You f*ckers know you are lying, I can prove Joe was lying and prove Joe knew he was lying.
- Come at me motherf*ckers, come at me bitch.
- F*ck you Boris!
- F*ck you!

The voicemail message is fifty-seven (57) seconds in length, was left on or about September 16, 2020. The voice was identified as Bradley and was left on the voicemail for Marathon Legal Group. Throughout the voicemail, it appears Bradley is slurring his words. The voicemail is as follows:

- And Boris, I get these messages from Emily's the uh therapist that she hired you.
- So, I am filing a complaint against you for the ghostwriting of that complaint that you knew was false because you have information you knew was false in there.
- Also, um yeah, Joe signing that it was served via USPS when I wasn't even served.
- F*ck y'all!
- F*ck you!
- Right, F*ck you Boris!
- F*ck you, f*ck Joe, f*ck Vera, f*ck that little piece of shit you call a daughter, f*ck all of you!
- You f*cking pieces of shit!

- F*ck all of you.
- F*ck Javier, he sees you as a little piece of f*cking shit.
- I have seen the texts, I see everything.
- They see you as f*cking shit.
- So, have fun with that.

Criminal Cases:

There are currently four (4) pending criminal cases against Bradley:

- 20-CR-009080 (domestic violence, DUI, etc.);
- 20-CR-039342 (domestic violence);
- 20-PC-014512 (domestic violence and aggravated stalking); and
- 20-PC-009075 (destruction of property of another, duty to stop at scene of accident and domestic violence).

On or about January 23, 2021, Bradley was arrested after visitation for an outstanding warrant related to the criminal charges. It is believed that Bradley remains at the Clark County Detention Center ("CCDC"), based upon a review of the CCDC inmate search website.

Civil Cases:

As Bradley is an attorney, Bradley has repeatedly filed civil suits against therapist for Brayden, attorneys for Emily and Emily herself. Those civil lawsuits are as follows:

- A-20-812996-C (against Emily);
- A-20-815348-C (against Donna Wilburn);
- A-20-825422-C (against Anna Trujillo);
- A-20-825505-C (Marathon Legal Group/Joe Riccio); and
- A-20-825508-C (against RSFLG/Amanda Roberts).

1 Bradley is essentially harassing anybody who would provide information
2 negative to position, or who is assisting Emily in this matter. Bradley's behavior is
3 vexatious and could easily be resolved in this matter; however, Bradley uses this tactic
4 in filing separate legal actions to eat up valuable time and resources in an unreasonable
5 manner.
6

7
8 **III.**
Legal Analysis

9 A. Emily's request to extend the Protection Order should be granted.

10 NRS § 33.080 (3) provides that Protection Orders may be extended for a
11 period not to exceed two (2) years. In this matter, the Protection Order against
12 Bradley was issued (T-20-206639-T) on July 6, 2020. Therefore, it is permissible
13 for this Court to extend the Protection Order which has already been extended once
14 on July 30, 2020, until May 10, 2021. Therefore, under the rules the Court would
15 be permitted to extend the current Protection Order through Wednesday, July 5,
16 2022.
17

18 NRS § 33.080 (4) requires the Court to make a finding of the basis to extend
19 the Protection Order beyond one (1) year. As such, Emily requests the Court adopt
20 the following finding:
21

- 22
- 23 1. The custody matters are in high conflict.
 - 24 2. Bradley continues to engage in behavior which qualifies as
25 domestic violence under NRS § 33.018 (b) by throwing juice
26
- 27

1 boxes at Emily's residence, and NRS § 33.018 (e) by harassing
2 Emily with threats of litigation against therapists and attorneys
3 and name calling of Emily (i.e., prostitute).
4

5 3. Bradley's behavior is a form of coercion and threat.

6 4. Bradley is using the children to send messages to Emily
7 regarding her safety- Brayden saying he is going to shoot Emily
8 in the head.
9

10 5. Bradley fails to realize his behavior is inappropriate, and
11 continues to use name calling and harassment against Emily
12 and anyone who assists Emily.
13

14 6. As Bradley knows direct contact with Emily will be contempt,
15 Bradley sends inappropriate and nasty messages through
16 Emily's Counsel which is a manner in which he continues to
17 emotionally abuse Emily.
18

19 B. Emily's request to correct a clerical error in the Court Order should
20 be granted.

21 NRCF § 60 (a) permits the Court to correct a clerical error which arose from
22 an oversight or commission. Here, when preparing the Order from the hearing on
23 July 30, 2020, Ms. Roberts in error typed 2020 as the day of the Parties' separation
24 when it should have been 2019. The error should be corrected and the Amended
25
26
27
28

1 Proposed Order which is attached to the companion filing as **Exhibit “11”** and
2 incorporated herein should be granted.

3
4 C. Emily’s request to join Bradley’s business should be granted.

5 *NRCP* § 19 (a)(1) which provides,

6 A person who is subject to service of process and whose
7 joinder will not deprive the court of jurisdiction over the
8 subject matter of the action shall be joined as a party in
9 the action if (A) in the person’s absence complete relief
10 cannot be accorded among those already parties, or (B)
11 the person claims an interest relating to the subject of the
12 action and is so situated that the disposition of the action
13 in the person’s absence may (i) as a practical matter
14 impair or impede the person’s ability to protect that
15 interest or (ii) leave any of the persons already parties
16 subject to a substantial risk of incurring double, multiple,
17 or otherwise inconsistent obligations by reason of the
18 claimed interest. If the person has not been so joined, the
19 court shall order that the person be made a party. If the
20 person should join as a plaintiff but refuses to do so, the
21 person may be made a defendant, or, in a proper case, an
22 involuntary plaintiff.

23 In this matter, Bradley is the sole owner of the business. Bradley has
24 refused to comply with repeated Court Orders and *NRCP* § 16.2 to disclose
25 financial and business records; moreover, Bradley’s business is nearly the sole
26 source of support for the Parties’ family. The business was started during the
27 marriage and subject to community property wherein, Bradley may be Ordered to
28 buyout Emily’s interest in the property. Bradley has engaged in a pattern of
conduct fraught with abuse of alcohol as outlined in the audio message that have

1 been left for Marathon Legal Group, and arrests related to operating a motor
2 vehicle while under the influence. Bradley's behavior is or may have a negative
3 impact on the value of the business.
4

5 Here, Emily argues that unless the Court joins the business, Emily may not
6 be able to get complete relief in the divorce related to community property because
7 Bradley had refused to cooperate with disclosing the books related to the business.
8 Moreover, by not joining the business, Emily's interest may be reduced if swift
9 action is not taken to protect existing clients and possible settlement funds, as
10 Bradley is a personal injury attorney.
11
12

13 C. Emily's request for appointment of a receiver for Bradley's business
14 should be granted.

15 NRS § 32.010 (3) permits the Court to appoint a receiver if a judgement has
16 been granted to ensure payment; NRS § 32.010 (5) when a corporation is in
17 imminent danger of insolvency; and NRS § (6) permits the Court to appoint a
18 receiver in cases involving Courts of equity. Pursuant to NRS § 32.175 a receiver is
19 defined as "a person appointed by the court as the court's agent, and subject to the
20 court's direction, to take possession of, manage and, if authorized by NRS
21 32.100 to 32.370, inclusive, or court order, transfer, sell, lease, license, exchange,
22 collect or otherwise dispose of receivership property." Bradley's business is
23 considered property pursuant to NRS § 32.170, and receivership property are the
24 profits from the business.
25
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28

1 As the owner of the business, pursuant to *NRS* § 32.300, the Court can
2 impose guidelines on Bradley to maintain the business while turning over monies
3 from the business for the purpose of payment of the judgment on arrears, disclose
4 monies while may be in the pipeline from existing clients, and turn over funds to
5 the receiver to preserve the community asset. Moreover, when the Court deems it
6 appropriate, the Court may terminate the receiver if the “circumstances no longer
7 warrant continuance of the receivership” pursuant to *NRS* § 32.345 (4).
8

9
10 D. *Emily’s request to deem Bradley a vexatious litigant should be*
11 *granted.*

12 In *Jordan v. State ex rel. Dep’t of Motor Vehicles & Pub. Safety*, 121 Nev.
13 44, 60, 110 P.3d 30, 42-44 (2005), abrogated on other grounds by *Buzz Stew, LLC*
14 *v. City of N. Las Vegas*, 124 Nev. 224, 181 P.3d 670 (2008), the Nevada Supreme
15 Court set forth a four-step process to deem someone a vexatious litigant. The steps
16 are as follows:
17

- 18 1. Reasonable notice to litigant and opportunity to oppose the issuance
19 of a restrictive Order to protect the Due Process rights of the
20 litigant.
- 21 2. The District Court must create a record for review which includes
22 listing all cases and documents which led to the conclusion that a
23 restrictive Order was necessary to “curb repetitive or abusive
24 activities.”
- 25 3. The District Court must make findings that support the “frivolous
26 and harassing nature” of the actions.
- 27 4. The Order must be narrowly drawn as not to prohibit access to the
28 legal system.

\\

1
2 Additionally, *EDCR* § 7.60 (b) provides,

3 The court may, after notice and an opportunity to be
4 heard, impose upon an attorney or a party any and all
5 sanctions which may, under the facts of the case, be
6 reasonable, including the imposition of fines, costs or
7 attorney's fees when an attorney or a party without just
8 cause:

- 9 (1) Presents to the court a motion or an opposition to a
10 motion which is obviously frivolous, unnecessary or
11 unwarranted.
12 (2) Fails to prepare for a presentation.
13 (3) So multiplies the proceedings in a case as to increase
14 costs unreasonably and vexatiously.
15 (4) Fails or refuses to comply with these rules.
16 (5) Fails or refuses to comply with any order of a judge
17 of the court.

18 In this matter, anybody who engages with Emily including family and
19 professional- therapists and attorneys, has been subject to litigation by Bradley. As
20 set forth herein, since the commencement of this action, Bradley has filed lawsuits
21 against Emily, Donna Wilburn, Anna Trujillo, Marathon Legal Group/Joe Riccio,
22 Roberts Law Group/Amanda Roberts. Moreover, on February 4, 2021, Bradley
23 made threats of additional actions against Emily's current attorney.

24 In *Landreth v. Malik*, 127 Nev. Adv. Op. 16, 251 P.3d 163 (2011), the
25 Supreme Court indicated that Family Court Judges have the same authority as
26 other Judges in the Eighth Judicial District Court. Thus, can rule on matters
27 outside the Family Court jurisdiction. In this matter, each of the delineated cases
28 arise from the litigation in this matter and therefore, Emily would argue this Court

1 should exercise its inherent authority and consolidate the cases to allow them to be
2 heard together to avoid an abuse of the legal process, possible inconsistent
3 outcomes and in the interest in judicial economy.
4

5 Moreover, Emily is seeking an Order that Bradley is a vexatious litigant to
6 avoid duplicative and unnecessary litigation. Bradley, by virtue of being an
7 attorney, is able to file Motions and legal actions without incurring attorney fees.
8 Each time Bradley files a Motion which is unnecessary, Emily is still forced to
9 defend the Motion which is unnecessarily and unreasonably increasing litigation
10 costs in this matter.
11

12
13 E. Emily's request to modify legal custody should be granted.

14 In *Rivero v. Rivero*, 125 Nev. 410, 216 P.3d 213 (2009), the Nevada Supreme
15 Court confirmed that joint legal custody involves major decision making for a child
16 with the big decisions being “the child’s health, education, and religious
17 upbringing.” This requires that parents be able to “cooperate, communicate, and
18 compromise to act in the best interest of the child.” *Id. citing Mosely v. Figliuzzi*,
19 113 Nev. 51, 60-61, 930 P.2d 1110, 1116 (1997). However, *Rivero* clarified that
20 “parents need not have equal decision-making power in a joint legal custody
21 situation.” *Rivero v. Rivero*, 125 Nev. 410, 216 P.3d 213 (2009) *citing Fenwick v.*
22 *Fenwick*, 114 S.W.3d 767, 776 (Ky.2003). Furthermore, *NRS* § 125C.0045 (1)(a)
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28

1 permits the Court to make an Orders it deems in the best interest of the minor
2 children.

3
4 Based upon the foregoing, Emily is requesting that she be granted authority
5 to make medical and educational decisions on behalf of the children, and that she
6 simply inform Bradley of such decisions. Emily is also requesting an Order that
7 specifically excludes Bradley from discontinuing any medical treatment for the
8 children without an Order of this Court.
9

10 F. Emily's request to modify Bradley's visitation should be granted.

11
12 Currently, Emily has temporary primary physical custody and Bradley has
13 visitation on Saturdays from noon to 4:00 p.m. Emily is requesting that Bradley
14 visitation be modified to supervised at Donna's House or Family First, with close
15 supervision including the ability to overhear all conversations and statements
16 between Bradley and the minor children. *NRS* § 125C.0045 (1)(a) permits the
17 Court to enforce and modify Orders it determines are in the best interest of the
18 minor children including Orders of support. In this matter, Marcia is requesting the
19 Court enforce its Order. Moreover, *NRS* § 125C.0035 (4) provides the best interest
20 factors the Court must consider, additional factors may also be considered as this
21 list is not all inclusive.
22
23

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25 \ \ \

1 The factors are as follows:

2 Wishes of the Child-

3
4 In this matter, the minor children are very young, not of an age or capacity to
5 state a preference. Therefore, this factor is not relevant to the present action and
6 should be given no weight by the Court.

7 Nomination of Guardian-

8
9 This factor is not relevant to the present action and should be given no weight
10 by the Court.

11 Frequent Association and Continuing Relationship-

12
13 Emily is not proposing the Court take away time from Bradley, Emily is
14 agreeable with Bradley continuing to exercise four (4) hours per week; however,
15 she is requesting the time be supervised. Therefore, this factor should be viewed as
16 neutral by the Court.

17 Level of Conflict-

18
19 In this matter, Emily would allege this matter is high conflict. Emily has
20 been subjected to countless acts of domestic violence against Bradley including
21 arrests and criminal filings. Bradley's communication with Emily, and allegations
22 regarding Emily's behavior, are inappropriate aggressive and harassing. Bradley
23 continually harasses Emily, her attorneys and the therapists for Brayden which
24 increases the level of conflict in this matter. Therefore, Emily would argue this
25
26
27

1 factor weighs in her favor related to supervision of Bradley's visitation with the
2 minor children.

3
4 Ability of the Parents to Cooperate-

5 In this matter, Emily is willing to cooperate with Bradley; however, he has
6 continually shown an unwilling to cooperate with Emily. The perfect example is
7 Bradley's refusal to cooperate with Court Orders- Bradley is confrontational, does
8 not allow others to speak, interrupts people, raises his voice, etc. Therefore, Emily
9 would argue this factor weighs in her favor related to supervision of Bradley's
10 visitation with the minor children.

11
12
13 Mental and Physical Health of the Parents-

14 In this matter, Emily alleges she is mentally and physically healthy. Emily
15 argues that Bradley is not mentally and/or physically healthy. A complete
16 argument regarding this issue is laid out herein because Emily is seeking an
17 evaluation of Bradley. Therefore, Emily would argue this factor weighs in her
18 favor related to supervision of Bradley's visitation with the minor children.

19
20
21 Physical, Developmental and Emotional Needs of Child-

22 The children in this matter are young and extremely impressionable. The
23 children are solely reliant upon their parents for their needs. The specific needs of
24 the children vary based upon their age. They are copying adults and friends,
25

1 learning to show affection, learning to dress themselves, following instructions,
2 attempting to please friends and family, etc.¹⁶ Of main concern here is Brayden!

3
4 The Court entered a prior Order that Brayden was to remain in therapy.
5 Rather than comply, Bradley filed a civil lawsuit against Brayden's therapist which
6 forced the child to be removed. This is the second such civil lawsuit that Bradley
7 has filed. As of late, Brayden is telling people he is going to kill his Mother, his
8 primary caretaker. Brayden has gone so far as to layout his plan to take the action.
9 Moreover, when an adult tried to redirect him, Brayden threatened physical
10 violence against the adult. It would be illogical to believe that Brayden is learning
11 this behavior from Emily so that leaves Bradley has the influence in Brayden's life
12 who he is mimicking.
13

14
15 Brayden needs to return to therapy and continue in therapy. Therefore,
16 Emily would argue this factor weighs in her favor related to supervision of
17 Bradley's visitation with the minor children.
18

19 *Nature of Relationship with Parents-*

20
21 The children have a very close and loving relationship with Emily. As for
22 Bradley, Emily knows that he love the children, but her main concern is a safety
23 issue. Therefore, Emily would argue this factor should be viewed as neutral.
24

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27 ¹⁶ <https://www.cdc.gov/ncbddd/actearly/milestones/index.html>

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1 is disrespectful and bad-mannered when interacting with the Court, as evidenced at
2 the hearing on November 24, 2020. Bradley's behaviors are not that of a person
3 who is stable, his thought patterns are erratic and he alleges to not currently being
4 working as an attorney due which he has raised herein. Based upon the foregoing,
5 there is good cause to believe that Bradley to submit to a mental health evaluation.
6

7 H. Emily's request for an Order to Show Cause against Bradley should be
8 granted.

9 Chapter twenty-two (22) of the Nevada Revised Statutes is solely designed to
10 deal with issues of contempt in the Nevada Court. NRS § 22.040 states,
11

12 When the contempt is not committed in the immediate
13 view and presence of the court or judge, a warrant of
14 attachment may be issued to bring the person charged to
15 answer, or, without a previous arrest, a warrant of
16 commitment may, upon notice, or upon an order to show
17 cause, be granted; and no warrant of commitment shall
be issued without such previous attachment to answer, or
such notice or order to show cause.

18 As such, when contempt is sought for a person who has not previously been
19 arrested, the proper procedure for the Court to hear the matter is for an Application
20 to be made for the issuance of an Order to Show Cause. If the Court then believes,
21 based upon the Application and accompanying Affidavit, that contempt may have
22 occurred, then an Order to Show Cause should be issued.
23

24 \\\

25 \\\

1 Pursuant to NRS § 22.010 (3), acts or omissions constituting contempt
2 including the following:

3
4 Disobedience or resistance to any lawful writ, order, rule
5 or process issued by the court or judge at chambers.

6 Disobedience is defined as “lack of obedience or refusal to comply; disregard
7 or transgression”¹⁷ and resistance is defined as “the act or power of resisting,
8 opposing, or withstanding.”¹⁸

9
10 Here, Emily believes Bradley has violated the Court’s Orders, and should be
11 held in contempt of Court for the following:

12 **COUNT ONE-**

13 Pursuant to the Order filed on January 24, 2021, at page 6, lines 6 through
14 10, Bradley has an obligation to pay child support and temporary support. The
15 Order reads, “THE COURT FURTHER ORDERS based upon the declarations of
16 income, using the figures set forth by the Court herein, Bradley’s support obligation
17 to Emily is set at \$3,560.00 per month [\$2,560.00 child support pursuant to NAC,
18 plus \$1,000.00 temporary support], commencing June of 2020.” To date, Bradley
19 has not paid his obligation as Ordered by the Court.
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24 ¹⁷ “[D]isobedience.” *Dictionary.com Unabridged (v 1.0.1)*. Based on the Random House
25 Unabridged Dictionary, © Random House, Inc. 2006. 30 Oct. 2006. Dictionary.com
<http://dictionary.reference.com/search?r=2&q=disobedience>.

26 ¹⁸ “[R]esistance.” *Dictionary.com Unabridged (v 1.0.1)*. Based on the Random House Unabridged
27 Dictionary, © Random House, Inc. 2006. 30 Oct. 2006. Dictionary.com
<http://dictionary.reference.com/browse/resistance>.

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1 THE COURT FURTHER ORDERS that the first
2 Saturday after Defendant has commenced SCRAM, his
3 supervised visitation shall be with the minor child,
4 Brayden, from 11:00 a.m. to 5:00 p.m. Each and every
5 Saturday thereafter, until further Order of the Court, he
6 shall have supervised visitations with all three (3)
7 children, from 11:00 a.m. to 5:00 p.m. until further Order
8 of the Court.

9 THE COURT FURTHER ORDERS that the agreed upon
10 supervisors for Defendant's visitations are Saira
11 McKinley, Tom McKinley, Maternal Grandfather along
12 with Paternal Grandmother or Grandfather.

13 On November 21, 2020, in violation of the Court's Order regarding
14 supervised visitation, Bradley has Saira McKinley do the exchange with Emily and
15 then Saira allowed Bradley to have the children unsupervised. This was
16 documented by private investigator, Hal DeBecker, who had video and photographs
17 of the incidents.

18 **COUNT FOUR-**

19 Pursuant to the Order filed on January 20, 2021, at pages 2 and 3 at lines 20
20 through 5, the Court Ordered that Bradley to turn over financial records. The
21 specific Order reads, "THE COURT FURTHER ORDERS that the Defendant shall
22 deliver to Ms. Roberts immediately his financial books and records regarding his
23 business and income. Ms. Roberts shall keep those records confidential and they
24 are for her review only, they cannot be reviewed by the Plaintiff. The Defendant's
25 compliance with this Order may purge his contempt for failure to pay the child
26

1 support and financial support as Ordered.” To date, Bradley has failed to produce
2 any financial records pursuant to the Court’s Order.

3
4 **COUNT FIVE-**

5 Pursuant to the Order filed on December 10, 2021, at page 2 at lines 5 through 10,
6 the Court Ordered that Bradley again turn over financial records by December 1,
7 2020. The Order reads, “THE COURT HEREBY ORDERS that the Defendant
8 shall have until the close of business on December 1, 2020, to provide Plaintiff’s
9 Counsel with all of his financial records and business statements to determine
10 Defendant’s income and earnings. If the Defendant fails to comply, this Court
11 recommends that there be an unequal distribution of the assets and debts between
12 the Plaintiff and Defendant.” To date, Bradley has failed to produce any financial
13 records pursuant to the Court’s Order.

14
15
16
17 **CONCLUSION-**

18 Pursuant to *NRS* § 22.100 (2), the penalty for contempt is as a fine of up to
19 \$500.00 per charge and/or imprisonment not to exceed twenty-five (25) days per
20 violation. **In addition, according to *NRS* § 22.100 (3), if contempt is found the**
21 **Court may require reimbursement of fees and costs resulting from the request**
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1 **for contempt. {Emphasis Added}** In this matter, Emily is requesting the Court
2 issue whatever sanctions that the Court deems appropriate.¹⁹

3
4 I. Emily's request for Bradley to bring the vehicle current, provide
5 registration and proof of insurance should be granted.

6 NRS § 125.040 (1)(a) provides the Court can issue Orders regarding
7 temporary support. In this matter, Bradley leased a vehicle for Emily which is
8 solely in his name. Bradley was making the payments on the vehicle as evidenced
9 by his Financial Disclosure Form filed April 15, 2020. Despite this happening,
10 Bradley refused to provide valid registration and insurance information. Bradley
11 should be required to provide same so that Emily has access to a community
12 vehicle to be able to get to and from work, and care for the minor children.
13

14
15 J. Emily's request for arrears to be reduced to judgment should be
16 granted.

17 NRS §125.180 (1) states as follows, "When either party to an action for
18 divorce, makes default in paying any sum of money as required by the judgment or
19 order directing the payment thereof, the district court may make an order directing
20 entry of judgment for the amount of such arrears, together with costs and a
21 reasonable attorney's fee." Additionally, NRS §125C.0045 (1)(a) provides, "During
22 the pendency of the action, at the final hearing or at any time thereafter during the
23
24
25

26 ¹⁹ Emily's Affidavit in support of the Motion and specific acts of contempt is attached to the
27 companion filing as **Exhibit "12"** and is hereby fully incorporated herein by reference.

1 minority of the child, make such an order for the custody, care, education,
2 maintenance and support of the minor child as appears in his or her best interest[.]”
3

4 K. Emily’s request for an award of attorney fees and costs should be
5 granted.

6 One of the prevailing cases regarding attorney fees is *Brunzell v. Golden*
7 *Gate National Bank*, 85 Nev. 345, 455 P.2d 31 (1969). In *Brunzell* the Nevada
8 Supreme Court set forth the factors, now known as the Brunzell Factors, which the
9 Court considered “well known basic elements to be considered” when awarded
10 attorney fees. The Court said each factor should be According the Brunzell
11 Factors are as follows:
12

- 13 1. The quality of advocacy;²⁰
- 14 2. The character of the work to be done;²¹
- 15 3. The work actually performed by the lawyer,²² and
- 16 4. The results obtained.

17 **Quality of Advocacy**

18 Emily’s Counsel has been practicing law since 2005 and focuses her practice
19 area primarily in the area of family law, and she is in good standing with the State
20
21
22

23 ²⁰ When considering the quality of the advocacy the Court should look at the attorney’s ability,
24 training, education, professional standing, and skill.

25 ²¹ When considering the character of the work to be done the Court should look at the difficulty,
26 intricacy, importance, time, skill required, the responsibility imposed, and the character of the
27 Party when they have a relevancy to the litigation.

²² When considering the work performed the Court should consider the skill, time, and attention
28 given to the work.

1 Bar of Nevada. Emily's Counsel participated in a weekly radio show geared at the
2 Clark County community, focused on issues relative to family law.

3
4 Yearly, Emily's Counsel attends continuing legal education classes to stay
5 abreast of changes in the area of family law. Through a practice primarily in family
6 law, Emily's Counsel has drafted countless Motions, argued before the District
7 Court and Hearing Master on issues related to domestic violence/custody/
8 divorce/adoption/termination of parental rights, brought and defended individuals at
9 Trials and Evidentiary Hearings. Additionally, Emily's Counsel has taken cases on
10 Appeal to the Supreme Court of Nevada.
11

12 **Character of Work Done**

13
14 Due to the fact that Emily's Counsel practices primarily in the area of family
15 law, she has regularly dealt with issues involved in violations of terms of Family
16 Court related Orders, child support enforcement, arrears, and wage assignments.
17 Emily's Counsel has spent hours attempting to resolve the issues, preparing
18 discovery and researching to send Subpoenas.
19

20 **Work Performed**

21
22 Emily's Counsel maintains a billing system and will prepare, in advance of
23 the hearing in this matter, a billing statement to address the actual attorney fees
24 extended by Emily relative to the discovery outlined herein, Motion and hearing.
25 Emily's Counsel bills at a rate of at least \$350.00 per hour which is a rate on par
26

1 with other attorneys practicing primarily in the area of family law. Although
2 Emily's Counsel is *pro bono*, Counsel is entitled to an award of attorney fees and
3 costs related to the issues set forth in this Motion. *Miller v. Wilfong*, 121 Nev. 619,
4 119 P.3d 727 (2005).
5

6 NRS § 18.010 states in relevant part as follows:
7

8 1. The compensation of an attorney and counselor for his
9 services is governed by agreement, express or implied,
10 which is not restrained by law.

11 2. In addition to the cases where an allowance is
12 authorized by specific statute, the court may make an
13 allowance of attorney's fees to a prevailing party:

14 (a) When he has not recovered more than \$20,000; or

15 (b) Without regard to the recovery sought, when
16 the court finds that the claim, counterclaim, cross-
17 claim or third-party complaint or defense of the
18 opposing party was brought or maintained without
19 reasonable ground or to harass the prevailing party.
20 The court shall liberally construe the provisions of
21 this paragraph in favor of awarding attorney's fees
22 in all appropriate situations. It is the intent of the
23 Legislature that the court award attorney's fees
24 pursuant to this paragraph and impose sanctions
25 pursuant to Rule 11 of the Nevada Rules of Civil
26 Procedure in all appropriate situations to punish
27 for and deter frivolous or vexatious claims and
28 defenses because such claims and defenses
overburden limited judicial resources, hinder the
timely resolution of meritorious claims and
increase the costs of engaging in business and
providing professional services to the public.

3. In awarding attorney's fees, the court may pronounce
its decision on the fees at the conclusion of the trial or
special proceeding without written motion and with or
without presentation of additional evidence.

1 Emily believes she will prevail regarding this instant Motion, due to the facts
2 of this action and outlined herein above. As such, Emily is requesting this Court
3 grant Amanda M. Roberts, Esq., of Roberts Stoffel Family Law Group, attorney
4 fees and costs relating to this discovery matter and Motion, in the amount of
5 \$3,500.00 which shall be reduced to judgment against Bradley.
6

7
8 **IV.**
Conclusion

9 Therefore, based upon the foregoing, Emily requests this Court to enter an
10 Order:
11

- 12 1. Granting Emily's request for an Order extending the Protection Order;
- 13 2. Granting Emily's request to correct a clerical error in the Order from
14 July 30, 2020 which was filed January 24, 2021;
- 15 3. Granting Emily's request for an Order joining Bradley's business as a
16 Party to this action;
- 17 4. Granting Emily's request for an Order appointing a receiver for
18 Bradley's business pursuant to *NRS* § 32.010;
- 19 5. Granting Emily's request for an Order deeming Bradley a vexatious
20 litigant, and consolidating the other civil cases related to the divorce
21 litigation;
- 22 6. Granting Emily's request for an Order modifying legal custody and
23 granting Emily decision making authority regarding health and
24 education of the minor children pursuant to *Rivero v. Rivero*, 125 Nev.
410, 216 P.3d 213 (2009);
- 25 7. Granting Emily's request for an Order modifying Defendant's
26 visitation, to supervised visitation at Donna's House or Family First,

1 with close supervision component regarding his conversations and
2 statements with the minor children;

3 8. Granting Emily's request for an Order for the completion of an *NRCP*
4 § 35 mental evaluation of Bradley;

5 9. Granting Emily's request for an Order for the issuance of an Order to
6 Show Cause against Bradley for contempt of Court;

7 10. Granting Emily's request for Bradley to bring the vehicle current and
8 provide registration and proof insurance;

9 11. Granting Emily's request for an Order reducing child support arrears
10 to judgment;

11 12. Granting Emily's request for an Order reducing temporary support
12 arrears to judgment;

13 13. Granting Emily's request for an Order awarding Emily attorney fees
14 and costs; and

15 14. Any and all related relief the Court deems just and proper.

16 DATED this 17th day of March, 2021.

17 **ROBERTS STOFFEL FAMILY LAW GROUP**

18
19 By: Amanda M. Roberts

20 Amanda M. Roberts, Esq.

21 State of Nevada Bar No. 9294

22 4411 South Pecos Road

23 Las Vegas, Nevada 89121

24 PH: (702) 474-7007

25 FAX: (702) 474-7477

26 EMAIL: efile@lvfamilylaw.com

27 Attorneys for Plaintiff, Emily Bellisario

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRADLEY JOHN BELLISARIO

Appellant,

v.

EMILY BELLISARIO,

Respondent.

Supreme Court No.: 84128

District Court No.: D605263

**APPEAL FROM FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
DECREE OF DIVORCE**

Eighth Judicial District Court of the State of Nevada

In and for the County of Clark

THE HONORABLE MARY PERRY

DISTRICT COURT JUDGE

APPELLANT APPENDIX – VOL. 8 PART 2

Amy A. Porray, Esq.

Nevada Bar # 9596

McFarling Law Group

6230 W. Desert Inn Road

Las Vegas, NV 89146

Phone: (702) 565-4335

Fax: (702) 732-9385

eservice@mcfarlinglaw.com

Attorney for Appellant,

Bradley John Bellisario

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1	03/09/2020	Exhibit Appendix to Motion for Primary Physical Custody, et al.	AA0042-110
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9	03/22/2021	Notice of Defendant's Intent to File Writ of Mandamus and Motion to Stay Proceedings	AA2085-2090
9	03/23/2021	Notice of Rescheduling Hearings	AA2091-2092
9	03/30/2021	Opposition to Defendant's Motion for Relief From Amended July 30, 2020, Order, July 30, 2020, Order and October 22, 2020 Order; And Countermotion for An Award of Attorney's Fees and Costs	AA2093-2110
9	03/30/2021	Exhibits in Support of Opposition to Motion for Relief From Amended July 30, 2020 Order, et al.	AA2111-2120

9	03/30/2021	Plaintiff's Opposition to Defendant's Motion for a Protective Order; and Countermotion for Attorney's Fees and Costs and Related Relief	AA2121-2135
9	04/05/2021	Ex Parte Motion for Continuance of Hearing Set for April 6, 2021, at 10:00 a.m.	AA2136-2141
9	04/06/2021	Discovery Commissioner's Report and Recommendations	AA2142-2149
9	04/06/2021	Order for Supervised Visitation	AA2150
9	04/06/2021	Order on Discovery Commissioner's Report and Recommendations	AA2151-2161
9	04/06/2021	Notice of Defendant's Objection to Order on Discovery Commissioner's Report and Recommendation	AA2162-2165
9	04/06/2021	Notice of Entry of Protection Order Against Domestic Violence	AA2166-2169
9	04/06/2021	Notice of Entry of Order for Supervised Visitations	AA2170-2174
9-10	04/06/2021	Transcript re: April 6, 2021, Hearing on All Pending Motions	AA2175-2270
10	04/07/2021	Court Minutes from April 7, 2021	AA2271-2272
10	04/07/2021	Transcript re: Hearing re: Status Check	AA2273-2284
10	04/08/2021	Motion for Relief from Order After Hearing Regarding Hearing on January 25, 2021, and Motion for Leave to File Renewed Motion to Disqualify Judge Mary Perry	AA2285-2315
10	04/08/2021	Minute Order of April 8, 2021	AA2316-2317
10	04/08/2021	Defendant's Motion to Reconsider Order Against Domestic Violence Entered April 6, 2021	AA2318-2330
10	04/14/2021	Memorandum of Attorney's Fees and Costs	AA2331-2379
10	04/14/2021	Court Minutes from April 6, 2021	AA2380-2381
10	04/22/2021	Opposition to Defendant's Motion for Relief From Order After Hearing Regarding Hearing on January 25, 2021 and Motion for Leave to	AA2382-2400

		File Renewed Motion to Disqualify Judge Mary Perry; and Countermotion for Leave of Court to Refinance, to Deem Defendant Vexatious Litigant, Waive Donna's House Fees, and for an Award of Attorney's Fees and Costs	
10	04/22/2021	Exhibits in Support of Plaintiff's Opposition to Defendant's Motion for Relief From Order After Hearing Regarding Hearing on January 25, 2021 and Motion for Leave to File Renewed Motion to Disqualify Judge Mary Perry; and Countermotion for Leave of Court to Refinance, to Deem Defendant Vexatious Litigant, Waive Donna's House Fees, and for an Award of Attorney's Fees and Costs	AA2401-2411
10	04/22/2021	Opposition to Defendant's Motion to Reconsider Order Against Domestic Violence Entered April 6, 2021; And Countermotion for An Award of Attorney's Fees and Costs	AA2412-2424
10	04/22/2021	Exhibits in Support of Plaintiff's Opposition to Reconsider Order Against Domestic Violence Entered April 6, 2021; And Countermotion for An Award of Attorney's Fees and Costs	AA2425-2430
10	04/22/2021	Court Minutes from April 22, 2021	AA2431-2432
10	04/22/2021	Amended Order After Hearing	AA2433-2440
10	04/23/2021	Order on Discovery Commissioner's Report and Recommendations	AA2441-2451
10	04/23/2021	Notice of Defendant's Objection to Mary Perry Taking Any Further Action in This Matter	AA2452-2455
10	04/26/2021	Notice of Discovery Dispute Conference	AA2456-2458
10	04/26/2021	Notice of Entry of Amended Order After Hearing	AA2459-2469

10	04/27/2021	Defendant's Motion to Reconsider Order Against Domestic Violence Entered April 6, 2021	AA2470-2478
10-11	04/29/2021	Reply to Plaintiff's Opposition to Defendant's Motion for Relief From Order After Hearing Regarding Hearing on January 25, 2021 and Motion for Leave to File Renewed Motion to Disqualify Judge Mary Perry; and Countermotion for Leave of Court to Refinance, to Deem Defendant Vexatious Litigant, Waive Donna's House Fees, and for an Award of Attorney's Fees and Costs	AA2479-2508
11	04/29/2021	Reply to Plaintiff's Opposition to Defendant's Motion to Reconsider Order Against Domestic Violence Entered April 6, 2021; and Countermotion for An Award of Attorney's Fees and Costs	AA2509-2516
11	04/30/2021	Order After Hearing	AA2517-2527
11	05/01/2021	Motion for Order to Show Cause Why Plaintiff and Plaintiff's Counsel, Amanda Roberts, Esq., Should Not Be Held in Contempt	AA2528-2567
11	05/02/2021	Ex Parte Motion for Return of Children	AA2568-2600
11	05/03/2021	Objection to Defendant's Discovery Requests and Subpoenas	AA2601-2604
11	05/03/2021	Notice of Entry of Order After Hearing	AA2605-2618
11	05/03/2021	Motion for Protective Order Relating to Bradley's Discovery Requests and Subpoena's [sic], for an Award of Attorney's Fees and Costs, and Related Relief	AA2619-2636
11-12	05/03/2021	Exhibits in Support of Plaintiff's Motion for Protection Order Relating to Bradley's Discovery Requests and Subpoena's [sic], for An Award of Attorney's Fees and Costs, and Related Relief	AA2637-2759

12	05/06/2021	Motion to Remove S.C.R.A.M. Device	AA2760-2778
12	05/10/2021	Supplemental [sic] to Opposition to Defendant's Motion for Relief from Order After Hearing Regarding the Hearing on January 25, 2021, and Motion for Leave to File a Renewed Motion to Disqualify Judge Perry and Countermotion for Leave of Court to Refinance, to Deem Defendant a Vexatious Litigant, Waive Donna's House Fees, and for an Award of Attorney's Fees and Costs	AA2779-2785
12	05/10/2021	Notice of Plaintiff's Filing her Opposition to Defendant's Motion to Reconsider Order Against Domestic Violence Entered April 6, 2021	AA2786-2788
12	05/11/2021	Court Minutes from Hearing May 11, 2021	AA2789-2790
12	05/11/2021	Transcripts from May 11, 2021, Hearing re: Return Hearing	AA2791-2807
12	05/11/2021	Order for Supervised Visitation	AA2808
12	05/11/2021	Order After Hearing	AA2809-2815
12	05/12/2021	Notice of Entry of Order After Hearing	AA2816-2825
12	05/12/2021	Notice of Disclosure of Receivers and Certified Public Accountants	AA2826-2828
12	05/13/2021	Notice of Therapist	AA2829-2831
12	05/14/2021	Opposition to Defendant's Motion for an Order to Show Cause Why Plaintiff and Plaintiff's Counsel, Amanda Roberts, Esq., Should Not Be Held In Contempt of Court; and Countermotion for An Award of Attorney's Fees and Costs	AA2832-2851
12	05/14/2021	Exhibits in Support of Plaintiff's Opposition to Defendant's Motion for an Order to Show Cause Why Plaintiff and Plaintiff's Counsel, Amanda Roberts, Esq., Should Not Be Held In	AA2852-2912

		Contempt of Court; and Countermotion for An Award of Attorney's Fees and Costs	
12	05/17/2021	Opposition to Defendant's Motion to Remove S.C.R.A.M. Device; and Countermotion to Drug Test Defendant, for an Award of Attorney's Fees and Costs, and Related Relief, Declaration of Emily Bellisario	AA2913-2934
12-13	05/17/2021	Exhibits in Support of Opposition to Defendant's Motion to Remove S.C.R.A.M. Device; and Countermotion to Drug Test Defendant, for an Award of Attorney's Fees and Costs, and Related Relief	AA2935-3003
13	05/17/2021	Reply to Plaintiff's Opposition to Defendant's Motion to Remove S.C.R.A.M. Device; And Opposition to Plaintiff's Motion to Drug Test Defendant, for an Award of Attorney's Fees and Costs, and Related Relief	AA3004-3013
13	05/17/2021	Opposition to Plaintiff's Notice of Motion and Motion for Protection Order Relating to Bradley's Discovery Requests and Subpoenas, for an Award of Attorney's Fees and Costs, and Related Relief	AA3014-3022
13	05/18/2021	Court Minutes From May 18, 2021	AA3023-3025
13	05/18/2021	Transcript from Hearing on May 18, 2021 re: All Pending Motions	AA3026-3069
13	05/18/2021	Motion for Order Pursuant to NRS 200.359 (Parental Kidnapping by Plaintiff)	AA3070-3115
13	05/19/2021	Information Regarding Therapy Provided By Anna Trujillo As Requested By Judge Marry Perry at Hearing on May 18, 2021	AA3116-3135
13	05/21/2021	Notice of Deposition—Emily Bellisario	AA3136-3137
13	06/02/2021	Opposition to Defendant's Motion for Order Pursuant to NRS 200.359 (Parental Kidnapping by Plaintiff); and Countermotion to Deem Defendant Vexatious Litigant and for an Award of Attorney's Fees and Costs	AA3138-3150

13	06/10/2021	Notice of Discovery Dispute Conference	AA3151-3153
13	06/11/2021	Amended Notice of Discovery Dispute Conference	AA3154-3156
13	06/16/2021	Court Minutes from June 16, 2021, Hearing at 10:00 a.m.	AA3157-3158
13	06/16/2021	Transcript re: Court Hearing on June 16, 2021, at 10:00 a.m. re: All Pending Motions	AA3159-3165
13	06/16/2021	Court Minutes from June 16, 2021, Hearing at 1:00 p.m.	AA3166-3167
13	06/25/2021	Memorandum of Fees and Costs as Ordered	AA3168-3197
13	06/26/2021	Order After Hearing on June 16, 2021	AA3198-3204
13	06/26/2021	Order After Hearing on May 18, 2021	AA3205-3214
13	06/28/2021	Notice of Entry of Order After Hearing on June 16, 2021	AA3215-3224
13	06/28/2021	Notice of Entry of Order After Hearing on May 18, 2021	AA3225-3237
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14	07/07/2021	Court Minutes from July 7, 2021	AA3255-3256
14	07/07/2021	Transcript re: Hearing on July 7, 2021 re: All Pending Motions	AA3257-3265
14	07/09/2021	Notice of Intentional Misrepresentations by Plaintiff and Amanda Roberts Regarding Dr. Stephanie Holland	AA3266-3275
14	07/12/2021	Minute Order from July 12, 2021	AA3276-3277
14	07/12/2021	Order Deeming Defendant a Vexatious Litigant	AA3278-3287
14	07/12/2021	Notice of Entry of Order Deeming Defendant a Vexatious Litigant	AA3288-3300
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14	07/22/2021	Notice of Entry of Order After Hearing	AA3308-3316
14	07/23/2021	Minute Order from July 23, 2021, re: Order on Discovery Commissioner Report and Recommendation	AA3317-3318
14	07/23/2021	Order on Discovery Commissioner's Report and Recommendations	AA3319-3338
14	09/02/2021	Discovery Commissioner's Report and Recommendations	AA3339-3351
14	09/16/2021	Court Minutes from September 16, 2021	AA3352-3353
14	09/16/2021	Transcript From September 16, 2021, Hearing re: Return Hearing	AA3354-3361
14	09/17/2021	Order After Hearing	AA3362-3368
14	09/20/2021	Order on Discovery Commissioner's Report and Recommendations	AA3369-3384
14	09/20/2021	Notice of Entry of Order After Hearing	AA3385-3394
14	09/22/2021	Notice of Entry of Order on Discovery Commissioner's Report and Recommendations	AA3395-3413
14	11/19/2021	Plaintiff's Pre-Trial Memorandum	AA3414-3437
14	11/19/2021	Plaintiff's Initial List of Witnesses	AA3438-3445
14	12/13/2021	Emily's Financial Disclosure Form	AA3446-3456
14	12/20/2021	Court Minutes From Non-Jury Trial on December 20, 2021	AA3457-3459
14	12/20/2021	Plaintiff's Trial Exhibit List with Exhibits Offered/Admitted/Denied/Objections	AA3460-3476
14	12/20/2021	Plaintiff's Exhibit 1	AA3477-3480
14	12/20/2021	Plaintiff's Exhibit 2	AA3481-3488
14	12/20/2021	Plaintiff's Exhibit 3	AA3489-3493

14	12/20/2021	Plaintiff's Exhibit 4	AA3494-3497
14-15	12/20/2021	Plaintiff's Exhibit 5	AA3498-3508
15	12/20/2021	Plaintiff's Exhibit 6	AA3509-3515
15	12/20/2021	Plaintiff's Exhibit 7	AA3516-3525
15	12/20/2021	Plaintiff's Exhibit 8	AA3526-3532
15	12/20/2021	Plaintiff's Exhibit 9	AA3533-3539
15	12/20/2021	Plaintiff's Exhibit 10	AA3540-3546
15	12/20/2021	Plaintiff's Exhibit 11	AA3547-3556
15	12/20/2021	Plaintiff's Exhibit 12	AA3557-3580
15	12/20/2021	Plaintiff's Exhibit 13	AA3580-3591
15	12/20/2021	Plaintiff's Exhibit 14	AA3592-3602
15	12/20/2021	Plaintiff's Exhibit 15	AA3603-3613
15	12/20/2021	Plaintiff's Exhibit 16	AA3614-3625
15	12/20/2021	Plaintiff's Exhibit 17	AA3626-3638
15	12/20/2021	Plaintiff's Exhibit 18	AA3639-3646
15	12/20/2021	Plaintiff's Exhibit 19	AA3647-3653
15	12/20/2021	Plaintiff's Exhibit 20	AA3654-3659
15	12/20/2021	Plaintiff's Exhibit 21	AA3660-3669
15	12/20/2021	Plaintiff's Exhibit 22	AA3670-3677

15	12/20/2021	Plaintiff's Exhibit 23	AA3678-3679
15	12/20/2021	Plaintiff's Exhibit 24	AA3680
15	12/20/2021	Plaintiff's Exhibit 25	AA3681
15	12/20/2021	Plaintiff's Exhibit 26	AA3682-3720
15-16	12/20/2021	Plaintiff's Exhibit 27	AA3721-3799
16	12/20/2021	Plaintiff's Exhibit 28	AA3800-3802
16	12/20/2021	Plaintiff's Exhibit 29	AA3803-3805
16	12/20/2021	Plaintiff's Exhibit 30	AA3806-3824
16	12/20/2021	Plaintiff's Exhibit 31	AA3825-3841
16	12/20/2021	Plaintiff's Exhibit 32	AA3842-3853
16	12/20/2021	Plaintiff's Exhibit 33 (video)	
16	12/20/2021	Plaintiff's Exhibit 34	AA3853-3859
16	12/20/2021	Plaintiff's Exhibit 35	AA3860-3862
16	12/20/2021	Plaintiff's Exhibit 36	AA3863-3864
16	12/20/2021	Plaintiff's Exhibit 37	AA3865-3866
16	12/20/2021	Plaintiff's Exhibit 38	AA3867-3869
16	12/20/2021	Plaintiff's Exhibit 39	AA3870-3873
16	12/20/2021	Plaintiff's Exhibit 40	AA3874-3935
16	12/20/2021	Plaintiff's Exhibit 41 (video)	
16	12/20/2021	Plaintiff's Exhibit 42	AA3937-3940
16	12/20/2021	Plaintiff's Exhibit 43 (video)	
16	12/20/2021	Plaintiff's Exhibit 44 (video)	
16	12/20/2021	Plaintiff's Exhibit 45A (video)	

16	12/20/2021	Plaintiff's Exhibit 45B (video)	
16	12/20/2021	Plaintiff's Exhibit 45C (video)	
16	12/20/2021	Plaintiff's Exhibit 53	AA3943-3945
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16	12/20/2021	Plaintiff's Exhibit 56	AA3953
16	12/20/2021	Plaintiff's Exhibit 57	AA3954-3963
16	12/20/2021	Plaintiff's Exhibit 58	AA3964-3966
16	12/20/2021	Plaintiff's Exhibit 59	AA3967-3971
16	12/20/2021	Plaintiff's Exhibit 60	AA3972-3982
16	12/20/2021	Plaintiff's Exhibit 61	AA3983-3984
16	12/20/2021	Plaintiff's Exhibit 62	AA3985
16	12/20/2021	Plaintiff's Exhibit 64	AA3986-3994
16	12/20/2021	Plaintiff's Exhibit 65	AA3995
16	12/20/2021	Plaintiff's Exhibit 66	AA3996-3997
16	12/20/2021	Plaintiff's Exhibit 67 (video)	
16	12/20/2021	Plaintiff's Exhibit 68 (video)	
16	12/20/2021	Plaintiff's Exhibit 69 (video)	
16-17	12/20/2021	Plaintiff's Exhibit 72	AA4000-4009
17	12/20/2021	Plaintiff's Exhibit 73	AA4010-4011
17	12/20/2021	Plaintiff's Exhibit 74	AA4012-4013
17	12/20/2021	Plaintiff's Exhibit 75	AA4014-4015
17	12/20/2021	Plaintiff's Exhibit 76	AA4016-4017
17	12/20/2021	Plaintiff's Exhibit 77	AA4018-4019

17	12/20/2021	Plaintiff's Exhibit 78	AA4020
17	12/20/2021	Plaintiff's Exhibit 79	AA4021
17	12/20/2021	Plaintiff's Exhibit 80	AA4022
17	12/20/2021	Plaintiff's Exhibit 82	AA4023-4026
17	12/20/2021	Plaintiff's Exhibit 83	AA4027-4030
17	12/20/2021	Plaintiff's Exhibit 84	AA4031-4035
17	12/20/2021	Plaintiff's Exhibit 89	AA4036-4064
17	12/20/2021	Plaintiff's Exhibit 91	AA4065-4068
17	12/20/2021	Plaintiff's Exhibit 92	AA4069
17	12/20/2021	Plaintiff's Exhibit 94	AA4070
17	12/20/2021	Plaintiff's Exhibit 97	AA4071
17	12/20/2021	Plaintiff's Exhibit 98	AA4072-4078
17	12/20/2021	Plaintiff's Exhibit 100	AA4079-4080
17	12/20/2021	Plaintiff's Exhibit 101	AA4081-4082
17	12/20/2021	Plaintiff's Exhibit 102	AA4083-4087
17	12/20/2021	Plaintiff's Exhibit 103	AA4088-4097
17	12/20/2021	Plaintiff's Exhibit 105	AA4098-4099
17	12/20/2021	Plaintiff's Exhibit 106	AA4100-4102
17	12/20/2021	Plaintiff's Exhibit 107	AA4103-4123
17	12/20/2021	Plaintiff's Exhibit 108	AA4124
17	12/20/2021	Plaintiff's Exhibit 109	AA4125-4177
17	12/20/2021	Plaintiff's Exhibit 110	AA4178-4192
17	12/20/2021	Plaintiff's Exhibit 111	AA4194-4205

17-18	12/20/2021	Plaintiff's Exhibit 112	AA4206-4267
18	12/20/2021	Plaintiff's Exhibit 113	AA4268-4319
18	12/20/2021	Plaintiff's Exhibit 114	AA4320-4339
18	12/20/2021	Plaintiff's Exhibit 115	AA4340-4355
18	12/20/2021	Plaintiff's Exhibit 116	AA4356-4415
18	12/20/2021	Plaintiff's Exhibit 117	AA4416-4495
18-19	12/20/2021	Plaintiff's Exhibit 118	AA4496-4541
19	12/20/2021	Plaintiff's Exhibit 119	AA4542-4559
19	12/20/2021	Plaintiff's Exhibit 120	AA4560-4603
19	12/20/2021	Plaintiff's Exhibit 121	AA4604-4605
19	12/20/2021	Plaintiff's Exhibit 122	AA4606-4608
19	12/20/2021	Plaintiff's Exhibit 123	AA4609-4613
19	12/20/2021	Plaintiff's Exhibit 124	AA4614-4617
19-20	12/20/2021	Transcript From Non-Jury Trial on December 20, 2021	AA4618-4862
20	12/21/2021	Plaintiff's Notice of Filing Exhibits Under Seal Exhibit "124"	AA4863-4865
20	12/23/2021	Findings of Fact, Conclusions of Law, and Decree of Divorce	AA4866-4897
20	12/23/2021	Notice of Entry of Findings of Fact, Conclusions of Law, and Decree of Divorce	AA4898-4932
20	01/20/2022	Notice of Appeal	AA4933-4935
20	01/20/2022	Case Appeal Statement	AA4936-4940

**INDEX OF APPELLANT'S APPENDIX
ALPHABETICAL ORDER**

<u>VOL.</u>	<u>DATE</u>	<u>PLEADING</u>	<u>BATES NO.</u>
1	03/25/2020	Acceptance of Service	AA0141-142
2	12/01/2020	Affidavit of Sandra L. Pomrenze	AA0334-336
5	02/08/2021	Affidavit of Service	AA1044
8	03/03/2021	Affidavit of Service	AA1755
2	11/25/2020	Affidavit Regarding Grounds for Disqualification of Judge	AA0327-333
6	02/10/2021	Affidavit Regarding Grounds for Disqualification of Judge	AA1272-1351
13	06/11/2021	Amended Notice of Discovery Dispute Conference	AA3154-3156
10	04/22/2021	Amended Order After Hearing	AA2433-2440
1	04/09/2020	Answer and Counterclaim	AA0143-147
2	04/15/2020	Bradley Bellisario Financial Disclosure Form	AA0260-267
5	02/07/2021	Bradley Bellisario's Financial Disclosure Form	AA1034-1040
20	01/20/2022	Case Appeal Statement	AA4936-4940
3	01/11/2021	Certificate of Service	AA0584-586
8	03/02/2021	Certificate of Service	AA1753-1754
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10	04/22/2021	Court Minutes from April 22, 2021	AA2431-2432
10	04/14/2021	Court Minutes from April 6, 2021	AA2380-2381
10	04/07/2021	Court Minutes from April 7, 2021	AA2271-2272
7	02/11/2021	Court Minutes from February 11, 2021	AA1542-1545
12	05/11/2021	Court Minutes from Hearing May 11, 2021	AA2789-2790
2	07/30/2020	Court Minutes from July 30, 2020, Hearing	AA0315-316
14	07/07/2021	Court Minutes from July 7, 2021	AA3255-3256

13	06/16/2021	Court Minutes from June 16, 2021, Hearing at 1:00 p.m.	AA3166-3167
13	06/16/2021	Court Minutes from June 16, 2021, Hearing at 10:00 a.m.	AA3157-3158
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8	03/04/2021	Court Minutes from March 4, 2021	AA1798
13	05/18/2021	Court Minutes From May 18, 2021	AA3023-3025
14	12/20/2021	Court Minutes From Non-Jury Trial on December 20, 2021	AA3457-3459
2	11/24/2020	Court Minutes from November 24, 2020, Hearing	AA0325-326
2	10/22/2020	Court Minutes from October 22, 2020, Hearing	AA0321-324
14	09/16/2021	Court Minutes from September 16, 2021	AA3352-3353
4	01/25/2021	Court Minutes From Status Check on January 25, 2021	AA0856-858
8	03/09/2021	Decision and Order	AA1817-1823
9	03/22/2021	Decision and Order	AA2082-2084
4	01/20/2021	Decision and Order re: Peremptory Challenge	AA0827-829
8	03/09/2021	Defendant's Motion for Reconsideration Regarding Defendant's Motion to Disqualify Judge Mary Perry	AA1966-1979
10	04/08/2021	Defendant's Motion to Reconsider Order Against Domestic Violence Entered April 6, 2021	AA2318-2330
10	04/27/2021	Defendant's Motion to Reconsider Order Against Domestic Violence Entered April 6, 2021	AA2470-2478
9	04/06/2021	Discovery Commissioner's Report and Recommendations	AA2142-2149
13-14	07/06/2021	Discovery Commissioner's Report and Recommendations	AA3238-3254
14	09/02/2021	Discovery Commissioner's Report and Recommendations	AA3339-3351

1	03/09/2020	Emily Bellisario Financial Disclosure Form	AA0111-121
3	12/23/2020	Emily Bellisario Financial Disclosure Form	AA0556-566
14	12/13/2021	Emily's Financial Disclosure Form	AA3446-3456
1	03/13/2020	Errata to Motion for Primary Physical Custody, et al.	AA0122-126
1	03/13/2020	Ex Parte Application for Order Shortening Time	AA0127-140
5	02/05/2021	Ex Parte Application for Order Shortening Time	AA1022-1033
8	03/09/2021	Ex Parte Application for Order Shortening Time	AA1950-1961
8	03/11/2021	Ex Parte Application for Order Shortening Time	AA1989-1997
7	02/26/2021	Ex Parte Application for Order Shortening Time on Defendant's Motion to Disqualify Judge	AA1731-1739
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5	02/09/2021	Ex Parte Motion for Continuance of Hearing Set for February 11, 2021, at 1:30 p.m.	AA1154-1204
11	05/02/2021	Ex Parte Motion for Return of Children	AA2568-2600
1	03/09/2020	Exhibit Appendix to Motion for Primary Physical Custody, et al.	AA0042-110
2	04/29/2020	Exhibit Appendix to Reply	AA0284-300
5	02/09/2021	Exhibits in Support of Motion to Compel	AA1073-1153
4-5	02/05/2021	Exhibits in Support of Motion to Extend Protection Order, et al.	AA0932-1003
8	03/09/2021	Exhibits in Support of Motion to Extend Protection Order, Joining Bradley's Business as a Party to the Action, Appoint a Receiver for the Business, Deeming Bradley a Vexatious Litigation [sic] and Consolidating Civil Cases to This Action, Modifying Legal Custody, Modifying Visitation, for Mental Health Evaluation, for Order to Show Cause and to Hold Bradley in Contempt, to Reduce	AA1878-1949

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12-13	05/17/2021	Exhibits in Support of Opposition to Defendant's Motion to Remove S.C.R.A.M. Device; and Countermotion to Drug Test Defendant, for an Award of Attorney's Fees and Costs, and Related Relief	AA2935-3003
1	04/09/2020	Exhibits in Support of Opposition to Motion for Primary Physical Custody, et al.	AA0158-249
9	03/30/2021	Exhibits in Support of Opposition to Motion for Relief From Amended July 30, 2020 Order, et al.	AA2111-2120
7	02/23/2021	Exhibits in Support of Opposition to Motion to Strike Hearsay and Misrepresentations of Material Fact Regarding Plaintiff's Notice of Motion et al.; and Countermotion for an Award of Attorney's Fees and Costs	AA1689-1703
11-12	05/03/2021	Exhibits in Support of Plaintiff's Motion for Protection Order Relating to Bradley's Discovery Requests and Subpoena's [sic], for An Award of Attorney's Fees and Costs, and Related Relief	AA2637-2759
10	04/22/2021	Exhibits in Support of Plaintiff's Opposition to Defendant's Motion for Relief From Order After Hearing Regarding Hearing on January 25, 2021 and Motion for Leave to File Renewed Motion to Disqualify Judge Mary Perry; and Countermotion for Leave of Court to Refinance, to Deem Defendant Vexatious Litigant, Waive Donna's House Fees, and for an Award of Attorney's Fees and Costs	AA2401-2411
12	05/14/2021	Exhibits in Support of Plaintiff's Opposition to Defendant's Motion for an Order to Show Cause Why Plaintiff and Plaintiff's Counsel, Amanda Roberts, Esq., Should Not Be Held In	AA2852-2912

		Contempt of Court; and Countermotion for An Award of Attorney's Fees and Costs	
10	04/22/2021	Exhibits in Support of Plaintiff's Opposition to Reconsider Order Against Domestic Violence Entered April 6, 2021; And Countermotion for An Award of Attorney's Fees and Costs	AA2425-2430
20	12/23/2021	Findings of Fact, Conclusions of Law, and Decree of Divorce	AA4866-4897
13	05/19/2021	Information Regarding Therapy Provided By Anna Trujillo As Requested By Judge Marry Perry at Hearing on May 18, 2021	AA3116-3135
10	04/14/2021	Memorandum of Attorney's Fees and Costs	AA2331-2379
13	06/25/2021	Memorandum of Fees and Costs as Ordered	AA3168-3197
14	07/12/2021	Minute Order from July 12, 2021	AA3276-3277
14	07/23/2021	Minute Order from July 23, 2021, re: Order on Discovery Commissioner Report and Recommendation	AA3317-3318
10	04/08/2021	Minute Order of April 8, 2021	AA2316-2317
5	02/09/2021	Minute Order of February 9, 2021	AA1045-1046
13	05/18/2021	Motion for Order Pursuant to NRS 200.359 (Parental Kidnapping by Plaintiff)	AA3070-3115
11	05/01/2021	Motion for Order to Show Cause Why Plaintiff and Plaintiff's Counsel, Amanda Roberts, Esq., Should Not Be Held in Contempt	AA2528-2567
1	03/09/2020	Motion for Primary Physical Custody, et al.	AA0008-41
9	03/16/2021	Motion for Protective Order	AA2003-2051
11	05/03/2021	Motion for Protective Order Relating to Bradley's Discovery Requests and Subpoena's [sic], for an Award of Attorney's Fees and Costs, and Related Relief	AA2619-2636

6-7	02/11/2021	Motion for Relief from Amended July 30, 2020, Order, July 30, 2020, Order, and October 22, 2020, Order	AA1444-1537
10	04/08/2021	Motion for Relief from Order After Hearing Regarding Hearing on January 25, 2021, and Motion for Leave to File Renewed Motion to Disqualify Judge Mary Perry	AA2285-2315
3-4	01/11/2021	Motion for Relief from Order After Hearing Regarding Hearing on November 24, 2020	AA0596-811
5	02/09/2021	Motion to Compel Discovery, for Attorney's Fees and Costs, and Related Relief	AA1047-1072
6	02/11/2021	Motion to Disqualify Judge Pursant to NCJC 2.11	AA1352-1443
4	02/05/2021	Motion to Extend Protection Order, Joining Bradley's Business as a Party to the Action, Appoint a Receiver for the Business, Deeming Bradley a Vexatious Litigation [sic] and Consolidating Civil Cases to This Action, Modifying Legal Custody, Modifying Visitation, for Mental Health Evaluation, for Order to Show Cause and to Hold Bradley in Contempt, to Reduce Child Support Arrears to Judgment, to Reduce Temporary Support to Judgment, for an Award of Attorney's Fees and Costs, and Related Relief	AA0888-931
8	03/09/2021	Motion to Extend Protection Order, Joining Bradley's Business as a Party to the Action, Appoint a Receiver for the Business, Deeming Bradley a Vexatious Litigation [sic] and Consolidating Civil Cases to This Action, Modifying Legal Custody, Modifying Visitation, for Mental Health Evaluation, for Order to Show Cause and to Hold Bradley in Contempt, to Reduce Child Support Arrears to Judgment, to Reduce Temporary Support to Judgment, for an Award of Attorney's Fees and Costs, and Related Relief	AA1834-1877
12	05/06/2021	Motion to Remove S.C.R.A.M. Device	AA2760-2778

2-3	12/10/2020	Motion to Show Cause Why Plaintiff and/or Plaintiff's Counsel Should Not Be Held in Contempt and Motion for Sanctions	AA0348-545
5-6	02/09/2021	Motion to Strike Hearsay and Misrepresentations of Material Fact Regarding Plaintiff's Notice of Motion and Motion to Extend Protection Order, Joining Bradley's Business as a Party to the Action, Appoint a Receiver for the Business, Deeming Bradley a Vexatious Litigation [sic] and Consolidating Civil Cases to This Action, Modifying Legal Custody, Modifying Visitation, for Mental Health Evaluation, for Order to Show Cause and to Hold Bradley in Contempt, to Reduce Child Support Arrears to Judgment, to Reduce Temporary Support to Judgment, for an Award of Attorney's Fees and Costs, and Related Relief	AA1205-1271
3	01/11/2021	Motion to Strike Plaintiff's Peremptory Challenge	AA0587-595
20	01/20/2022	Notice of Appeal	AA4933-4935
9	03/22/2021	Notice of Defendant's Intent to File Writ of Mandamus and Motion to Stay Proceedings	AA2085-2090
8	03/09/2021	Notice of Defendant's Intent to Seek Post-Order Relief	AA1962-1965
2	12/03/2020	Notice of Defendant's Non-Compliance with Court Order	AA0337-338
7	02/11/2021	Notice of Defendant's Objection to Judge Mary Perry Hearing Any Argument Related to Hearing Scheduled for February 11, 2021 at 1:30 p.m.	AA1538/-1541
10	04/23/2021	Notice of Defendant's Objection to Mary Perry Taking Any Further Action in This Matter	AA2452-2455
9	04/06/2021	Notice of Defendant's Objection to Order on Discovery Commissioner's Report and Recommendation	AA2162-2165

7	02/26/2021	Notice of Defendant's Objection to Plaintiff's Ex Parte Application for Order Shortening Time	AA1740-1744
8-9	03/12/2021	Notice of Defendant's Objection to Plaintiff's Ex Parte Application for Order Shortening Time Dated 03/11/2021	AA1998-2002
4	01/20/2021	Notice of Department Reassignment	AA0830-832
13	05/21/2021	Notice of Deposition—Emily Bellisario	AA3136-3137
12	05/12/2021	Notice of Disclosure of Receivers and Certified Public Accountants	AA2826-2828
3	12/16/2020	Notice of Discovery Dispute Conference	AA0553-555
10	04/26/2021	Notice of Discovery Dispute Conference	AA2456-2458
13	06/10/2021	Notice of Discovery Dispute Conference	AA3151-3153
10	04/26/2021	Notice of Entry of Amended Order After Hearing	AA2459-2469
8	03/09/2021	Notice of Entry of Decision and Order	AA1824-1833
20	12/23/2021	Notice of Entry of Findings of Fact, Conclusions of Law, and Decree of Divorce	AA4898-4932
8	03/10/2021	Notice of Entry of Order After Hearing	AA1983-1988
11	05/03/2021	Notice of Entry of Order After Hearing	AA2605-2618
12	05/12/2021	Notice of Entry of Order After Hearing	AA2816-2825
14	07/22/2021	Notice of Entry of Order After Hearing	AA3308-3316
14	09/20/2021	Notice of Entry of Order After Hearing	AA3385-3394
13	06/28/2021	Notice of Entry of Order After Hearing on June 16, 2021	AA3215-3224
13	06/28/2021	Notice of Entry of Order After Hearing on May 18, 2021	AA3225-3237
14	07/12/2021	Notice of Entry of Order Deeming Defendant a Vexatious Litigant	AA3288-3300

2	07/31/2020	Notice of Entry of Order for Supervised Visitation dated July 31, 2020	AA0318-320
9	04/06/2021	Notice of Entry of Order for Supervised Visitations	AA2170-2174
4	01/25/2021	Notice of Entry of Order From the July 30, 2020, Hearing	AA0864-874
3	12/11/2020	Notice of Entry of Order From the November 24, 2020, Hearing	AA0546-552
4	01/22/2021	Notice of Entry of Order From the October 22, 2020, Hearing	AA0840-847
14	09/22/2021	Notice of Entry of Order on Discovery Commissioner's Report and Recommendations	AA3395-3413
7-8	03/02/2021	Notice of Entry of Order Shortening Time	AA1748-1752
9	04/06/2021	Notice of Entry of Protection Order Against Domestic Violence	AA2166-2169
2	06/11/2020	Notice of Entry of Stipulation and Order dated June 11, 2020	AA0308-314
4	01/15/2021	Notice of Hearing and Order Regarding Procedures	AA0822-826
14	07/09/2021	Notice of Intentional Misrepresentations by Plaintiff and Amanda Roberts Regarding Dr. Stephanie Holland	AA3266-3275
12	05/10/2021	Notice of Plaintiff's Filing her Opposition to Defendant's Motion to Reconsider Order Against Domestic Violence Entered April 6, 2021	AA2786-2788
2	12/03/2020	Notice of Plaintiff's Non-Compliance with Court Order	AA0339-343
9	03/23/2021	Notice of Rescheduling Hearings	AA2091-2092
4	01/21/2021	Notice of Scheduling Status Check	AA0839
12	05/13/2021	Notice of Therapist	AA2829-2831
4	01/21/2021	Notice of Vacating Hearing	AA0838
11	05/03/2021	Objection to Defendant's Discovery Requests and Subpoenas	AA2601-2604

12	05/14/2021	Opposition to Defendant's Motion for an Order to Show Cause Why Plaintiff and Plaintiff's Counsel, Amanda Roberts, Esq., Should Not Be Held In Contempt of Court; and Countermotion for An Award of Attorney's Fees and Costs	AA2832-2851
13	06/02/2021	Opposition to Defendant's Motion for Order Pursuant to NRS 200.359 (Parental Kidnapping by Plaintiff); and Countermotion to Deem Defendant Vexatious Litigant and for an Award of Attorney's Fees and Costs	AA3138-3150
9	03/30/2021	Opposition to Defendant's Motion for Relief From Amended July 30, 2020, Order, July 30, 2020, Order and October 22, 2020 Order; And Countermotion for An Award of Attorney's Fees and Costs	AA2093-2110
4	01/25/2021	Opposition to Defendant's Motion for Relief From Order After Hearing Regarding Hearing on November 24, 2020; And Countermotion for An Award of Attorney's Fees and Costs	AA0875-887
10	04/22/2021	Opposition to Defendant's Motion for Relief From Order After Hearing Regarding Hearing on January 25, 2021 and Motion for Leave to File Renewed Motion to Disqualify Judge Mary Perry; and Countermotion for Leave of Court to Refinance, to Deem Defendant Vexatious Litigant, Waive Donna's House Fees, and for an Award of Attorney's Fees and Costs	AA2382-2400
7	02/23/2021	Opposition to Defendant's Motion to Disqualify Judge Pursuant to NCJC 2.11; and Countermotion for an Award of Attorney's Fees and Costs and Related Relief	AA1704-1720
10	04/22/2021	Opposition to Defendant's Motion to Reconsider Order Against Domestic Violence Entered April 6, 2021; And Countermotion for An Award of Attorney's Fees and Costs	AA2412-2424
12	05/17/2021	Opposition to Defendant's Motion to Remove S.C.R.A.M. Device; and Countermotion to	AA2913-2934

		Drug Test Defendant, for an Award of Attorney's Fees and Costs, and Related Relief, Declaration of Emily Bellisario	
3	12/24/2020	Opposition to Defendant's Motion to Show Cause Why Plaintiff and/or Plaintiff's Counsel Should Not Be Held in Contempt and Motion for Sanctions; And Countermotion for an Award of Attorney's Fees and Costs	AA0567-581
4	01/13/2021	Opposition to Defendant's Motion to Strike Plaintiff's Peremptory Challenge; and Countermotion for and Award of Attorney's Fees and Costs	AA0812-821
1	04/09/2020	Opposition to Motion for Primary Physical Custody, et al.	AA0148-157
7	02/23/2021	Opposition to Motion to Strike Hearsay and Misrepresentations of Material Fact Regarding Plaintiff's Notice of Motion et al.; and Countermotion for an Award of Attorney's Fees and Costs	AA1671-1688
9	03/17/2021	Opposition to Notice of Motion and Motion to Compel Discovery, for Attorney's Fees and Costs, and Related Relief	AA2054-2066
7	02/19/2021	Opposition to Plaintiff's Motion to Extend Protection Order, Joining Bradley's Business as a Party to the Action, Appoint a Receiver for the Business, Deeming Bradley a Vexatious Litigation [sic] and Consolidating Civil Cases to This Action, Modifying Legal Custody, Modifying Visitation, for Mental Health Evaluation, for Order to Show Cause and to Hold Bradley in Contempt, to Reduce Child Support Arrears to Judgment, to Reduce Temporary Support to Judgment, for an Award of Attorney's Fees and Costs, and Related Relief	AA1558-1661
13	05/17/2021	Opposition to Plaintiff's Notice of Motion and Motion for Protection Order Relating to Bradley's Discovery Requests and Subpoenas,	AA3014-3022

		for an Award of Attorney's Fees and Costs, and Related Relief	
7	02/16/2021	Order	AA1555-1557
8	03/10/2021	Order After Hearing	AA1980-19852
11	04/30/2021	Order After Hearing	AA2517-2527
12	05/11/2021	Order After Hearing	AA2809-2815
14	07/20/2021	Order After Hearing	AA3301-3307
14	09/17/2021	Order After Hearing	AA3362-3368
2	12/10/2020	Order After Hearing of November 24, 2020	AA0344-347
4	01/24/2021	Order After Hearing on July 30, 2020	AA0848-855
13	06/26/2021	Order After Hearing on June 16, 2021	AA3198-3204
13	06/26/2021	Order After Hearing on May 18, 2021	AA3205-3214
4	01/20/2021	Order After Hearing on October 22, 2020	AA0833-837
14	07/12/2021	Order Deeming Defendant a Vexatious Litigant	AA3278-3287
9	04/06/2021	Order for Supervised Visitation	AA2150
12	05/11/2021	Order for Supervised Visitation	AA2808
2	07/30/2020	Order for Supervised Visitation dated July 30, 2020	AA0317
9	04/06/2021	Order on Discovery Commissioner's Report and Recommendations	AA2151-2161
10	04/23/2021	Order on Discovery Commissioner's Report and Recommendations	AA2441-2451
14	07/23/2021	Order on Discovery Commissioner's Report and Recommendations	AA3319-3338
14	09/20/2021	Order on Discovery Commissioner's Report and Recommendations	AA3369-3384
1-2	04/13/2020	Order Setting Case Management Conference	AA0250-259
5	02/08/2021	Order Shortening Time	AA1041-1043

7	03/02/2021	Order Shortening Time	AA1745-1747
3	01/11/2021	Peremptory Challenge	AA0582-583
14	12/20/2021	Plaintiff's Exhibit 1	AA3477-3480
15	12/20/2021	Plaintiff's Exhibit 10	AA3540-3546
17	12/20/2021	Plaintiff's Exhibit 100	AA4079-4080
17	12/20/2021	Plaintiff's Exhibit 101	AA4081-4082
17	12/20/2021	Plaintiff's Exhibit 102	AA4083-4087
17	12/20/2021	Plaintiff's Exhibit 103	AA4088-4097
17	12/20/2021	Plaintiff's Exhibit 105	AA4098-4099
17	12/20/2021	Plaintiff's Exhibit 106	AA4100-4102
17	12/20/2021	Plaintiff's Exhibit 107	AA4103-4123
17	12/20/2021	Plaintiff's Exhibit 108	AA4124
17	12/20/2021	Plaintiff's Exhibit 109	AA4125-4177
15	12/20/2021	Plaintiff's Exhibit 11	AA3547-3556
17	12/20/2021	Plaintiff's Exhibit 110	AA4178-4192
17	12/20/2021	Plaintiff's Exhibit 111	AA4194-4205
17-18	12/20/2021	Plaintiff's Exhibit 112	AA4206-4267
18	12/20/2021	Plaintiff's Exhibit 113	AA4268-4319
18	12/20/2021	Plaintiff's Exhibit 114	AA4320-4339
18	12/20/2021	Plaintiff's Exhibit 115	AA4340-4355

18	12/20/2021	Plaintiff's Exhibit 116	AA4356-4415
18	12/20/2021	Plaintiff's Exhibit 117	AA4416-4495
18-19	12/20/2021	Plaintiff's Exhibit 118	AA4496-4541
19	12/20/2021	Plaintiff's Exhibit 119	AA4542-4559
15	12/20/2021	Plaintiff's Exhibit 12	AA3557-3580
19	12/20/2021	Plaintiff's Exhibit 120	AA4560-4603
19	12/20/2021	Plaintiff's Exhibit 121	AA4604-4605
19	12/20/2021	Plaintiff's Exhibit 122	AA4606-4608
19	12/20/2021	Plaintiff's Exhibit 123	AA4609-4613
19	12/20/2021	Plaintiff's Exhibit 124	AA4614-4617
15	12/20/2021	Plaintiff's Exhibit 13	AA3580-3591
15	12/20/2021	Plaintiff's Exhibit 14	AA3592-3602
15	12/20/2021	Plaintiff's Exhibit 15	AA3603-3613
15	12/20/2021	Plaintiff's Exhibit 16	AA3614-3625
15	12/20/2021	Plaintiff's Exhibit 17	AA3626-3638
15	12/20/2021	Plaintiff's Exhibit 18	AA3639-3646
15	12/20/2021	Plaintiff's Exhibit 19	AA3647-3653
14	12/20/2021	Plaintiff's Exhibit 2	AA3481-3488
15	12/20/2021	Plaintiff's Exhibit 20	AA3654-3659

15	12/20/2021	Plaintiff's Exhibit 21	AA3660-3669
15	12/20/2021	Plaintiff's Exhibit 22	AA3670-3677
15	12/20/2021	Plaintiff's Exhibit 23	AA3678-3679
15	12/20/2021	Plaintiff's Exhibit 24	AA3680
15	12/20/2021	Plaintiff's Exhibit 25	AA3681
15	12/20/2021	Plaintiff's Exhibit 26	AA3682-3720
15-16	12/20/2021	Plaintiff's Exhibit 27	AA3721-3799
16	12/20/2021	Plaintiff's Exhibit 28	AA3800-3802
16	12/20/2021	Plaintiff's Exhibit 29	AA3803-3805
14	12/20/2021	Plaintiff's Exhibit 3	AA3489-3493
16	12/20/2021	Plaintiff's Exhibit 30	AA3806-3824
16	12/20/2021	Plaintiff's Exhibit 31	AA3825-3841
16	12/20/2021	Plaintiff's Exhibit 32	AA3842-3853
16	12/20/2021	Plaintiff's Exhibit 33 (video)	
16	12/20/2021	Plaintiff's Exhibit 34	AA3853-3859
16	12/20/2021	Plaintiff's Exhibit 35	AA3860-3862
16	12/20/2021	Plaintiff's Exhibit 36	AA3863-3864
16	12/20/2021	Plaintiff's Exhibit 37	AA3865-3866
16	12/20/2021	Plaintiff's Exhibit 38	AA3867-3869
16	12/20/2021	Plaintiff's Exhibit 39	AA3870-3873
14	12/20/2021	Plaintiff's Exhibit 4	AA3494-3497

16	12/20/2021	Plaintiff's Exhibit 40	AA3874-3935
16	12/20/2021	Plaintiff's Exhibit 41 (video)	
16	12/20/2021	Plaintiff's Exhibit 42	AA3937-3940
16	12/20/2021	Plaintiff's Exhibit 43 (video)	
16	12/20/2021	Plaintiff's Exhibit 44 (video)	
16	12/20/2021	Plaintiff's Exhibit 45A (video)	
16	12/20/2021	Plaintiff's Exhibit 45B (video)	
16	12/20/2021	Plaintiff's Exhibit 45C (video)	
14-15	12/20/2021	Plaintiff's Exhibit 5	AA3498-3508
16	12/20/2021	Plaintiff's Exhibit 53	AA3943-3945
16	12/20/2021	Plaintiff's Exhibit 54	AA3946
16	12/20/2021	Plaintiff's Exhibit 55	AA3947-3952
16	12/20/2021	Plaintiff's Exhibit 56	AA3953
16	12/20/2021	Plaintiff's Exhibit 57	AA3954-3963
16	12/20/2021	Plaintiff's Exhibit 58	AA3964-3966
16	12/20/2021	Plaintiff's Exhibit 59	AA3967-3971
15	12/20/2021	Plaintiff's Exhibit 6	AA3509-3515
16	12/20/2021	Plaintiff's Exhibit 60	AA3972-3982
16	12/20/2021	Plaintiff's Exhibit 61	AA3983-3984
16	12/20/2021	Plaintiff's Exhibit 62	AA3985
16	12/20/2021	Plaintiff's Exhibit 64	AA3986-3994
16	12/20/2021	Plaintiff's Exhibit 65	AA3995
16	12/20/2021	Plaintiff's Exhibit 66	AA3996-3997
16	12/20/2021	Plaintiff's Exhibit 67 (video)	
16	12/20/2021	Plaintiff's Exhibit 68 (video)	
16	12/20/2021	Plaintiff's Exhibit 69 (video)	

15	12/20/2021	Plaintiff's Exhibit 7	AA3516-3525
16-17	12/20/2021	Plaintiff's Exhibit 72	AA4000-4009
17	12/20/2021	Plaintiff's Exhibit 73	AA4010-4011
17	12/20/2021	Plaintiff's Exhibit 74	AA4012-4013
17	12/20/2021	Plaintiff's Exhibit 75	AA4014-4015
17	12/20/2021	Plaintiff's Exhibit 76	AA4016-4017
17	12/20/2021	Plaintiff's Exhibit 77	AA4018-4019
17	12/20/2021	Plaintiff's Exhibit 78	AA4020
17	12/20/2021	Plaintiff's Exhibit 79	AA4021
15	12/20/2021	Plaintiff's Exhibit 8	AA3526-3532
17	12/20/2021	Plaintiff's Exhibit 80	AA4022
17	12/20/2021	Plaintiff's Exhibit 82	AA4023-4026
17	12/20/2021	Plaintiff's Exhibit 83	AA4027-4030
17	12/20/2021	Plaintiff's Exhibit 84	AA4031-4035
17	12/20/2021	Plaintiff's Exhibit 89	AA4036-4064
15	12/20/2021	Plaintiff's Exhibit 9	AA3533-3539
17	12/20/2021	Plaintiff's Exhibit 91	AA4065-4068
17	12/20/2021	Plaintiff's Exhibit 92	AA4069
17	12/20/2021	Plaintiff's Exhibit 94	AA4070
17	12/20/2021	Plaintiff's Exhibit 97	AA4071
17	12/20/2021	Plaintiff's Exhibit 98	AA4072-4078
14	11/19/2021	Plaintiff's Initial List of Witnesses	AA3438-3445

20	12/21/2021	Plaintiff's Notice of Filing Exhibits Under Seal Exhibit "124"	AA4863-4865
9	03/30/2021	Plaintiff's Opposition to Defendant's Motion for a Protective Order; and Countermotion for Attorney's Fees and Costs and Related Relief	AA2121-2135
14	11/19/2021	Plaintiff's Pre-Trial Memorandum	AA3414-3437
14	12/20/2021	Plaintiff's Trial Exhibit List with Exhibits Offered/Admitted/Denied/Objections	AA3460-3476
2	04/29/2020	Reply to Counterclaim	AA0301-303
7	02/23/2021	Reply to Judge Mary Perry's Response to Defendant's Motion to Disqualify Judge	AA1662-1670
2	04/29/2020	Reply to Opposition	AA0268-283
8	03/04/2021	Reply to Opposition to Defendant's Motion to Disqualify Judge Pursuant to NCJC 2.11; Countermotion for Award of Attorney's Fees and Costs	AA1756-1797
10-11	04/29/2021	Reply to Plaintiff's Opposition to Defendant's Motion for Relief From Order After Hearing Regarding Hearing on January 25, 2021 and Motion for Leave to File Renewed Motion to Disqualify Judge Mary Perry; and Countermotion for Leave of Court to Refinance, to Deem Defendant Vexatious Litigant, Waive Donna's House Fees, and for an Award of Attorney's Fees and Costs	AA2479-2508
11	04/29/2021	Reply to Plaintiff's Opposition to Defendant's Motion to Reconsider Order Against Domestic Violence Entered April 6, 2021; and Countermotion for An Award of Attorney's Fees and Costs	AA2509-2516
13	05/17/2021	Reply to Plaintiff's Opposition to Defendant's Motion to Remove S.C.R.A.M. Device; And Opposition to Plaintiff's Motion to Drug Test Defendant, for an Award of Attorney's Fees and Costs, and Related Relief	AA3004-3013
7	02/16/2021	Response to Defendant's Motion to Disqualify Judge	AA1549-1554

5	02/05/2021	Schedule of Arrears for Child Support With Confirmation Pursuant to EDCR 5.508	AA1004-1013
5	02/05/2021	Schedule of Arrears for Temporary Support with Confirmation Pursuant to EDCR 5.508	AA1014-1021
2	06/10/2020	Stipulation and Order dated June 10, 2020	AA0304-307
12	05/10/2021	Supplemental [sic] to Opposition to Defendant's Motion for Relief from Order After Hearing Regarding the Hearing on January 25, 2021, and Motion for Leave to File a Renewed Motion to Disqualify Judge Perry and Countermotion for Leave of Court to Refinance, to Deem Defendant a Vexatious Litigant, Waive Donna's House Fees, and for an Award of Attorney's Fees and Costs	AA2779-2785
13	05/18/2021	Transcript from Hearing on May 18, 2021 re: All Pending Motions	AA3026-3069
19-20	12/20/2021	Transcript From Non-Jury Trial on December 20, 2021	AA4618-4862
14	09/16/2021	Transcript From September 16, 2021, Hearing re: Return Hearing	AA3354-3361
9-10	04/06/2021	Transcript re: April 6, 2021, Hearing on All Pending Motions	AA2175-2270
13	06/16/2021	Transcript re: Court Hearing on June 16, 2021, at 10:00 a.m. re: All Pending Motions	AA3159-3165
7	02/11/2021	Transcript re: Hearing on February 11, 2021, on All Pending Motions	AA1546-1548
4	01/25/2021	Transcript re: Hearing on January 25, 2021, Status Check	AA0859-863
14	07/07/2021	Transcript re: Hearing on July 7, 2021 re: All Pending Motions	AA3257-3265
9	03/17/2021	Transcript re: Hearing on Motion to Compel Discovery on March 17, 2021	AA2067-2081
10	04/07/2021	Transcript re: Hearing re: Status Check	AA2273-2284
8	03/04/2021	Transcript re: March 4, 2021, Court Hearing on All Pending Motions	AA1799-1816
12	05/11/2021	Transcripts from May 11, 2021, Hearing re: Return Hearing	AA2791-2807

CERTIFICATE OF SERVICE

I, an employee of McFarling Law Group, hereby certify that on the 8th day of April, 2022, I served a true and correct copy of this Appellant's Appendix Volume 8 Part 2 as follows:

☒ via the Supreme Court's electronic filing and service system (eFlex):

Amanda Roberts, Esq.
efile@lvfamilylaw.com

/s/ Crystal Beville
Crystal Beville

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Bradley Bellisario
Email: Bradb@bellisariolaw.com
Defendant in *proper person*

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MOFI

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

Emily Bellisario

Plaintiff/Petitioner

Bradley Bellisario

Defendant/Respondent

Case No. D-20-605263-D

Dept. P

**MOTION/OPPOSITION
FEE INFORMATION SHEET**

Notice: Motions and Oppositions filed after entry of a final order issued pursuant to NRS 125, 125B or 125C are subject to the reopen filing fee of \$25, unless specifically excluded by NRS 19.0312. Additionally, Motions and Oppositions filed in cases initiated by joint petition may be subject to an additional filing fee of \$129 or \$57 in accordance with Senate Bill 388 of the 2015 Legislative Session.

Step 1. Select either the \$25 or \$0 filing fee in the box below.

<input type="checkbox"/>	\$25	The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.
-OR-		
<input checked="" type="checkbox"/>	\$0	The Motion/Opposition being filed with this form is not subject to the \$25 reopen fee because:
<input checked="" type="checkbox"/>		The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.
<input type="checkbox"/>		The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.
<input type="checkbox"/>		The Motion/Opposition is for reconsideration or for a new trial, and is being filed within 10 days after a final judgment or decree was entered. The final order was entered on _____.
<input type="checkbox"/>		Other Excluded Motion (must specify) _____.

Step 2. Select the \$0, \$129 or \$57 filing fee in the box below.

<input checked="" type="checkbox"/>	\$0	The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:
<input checked="" type="checkbox"/>		The Motion/Opposition is being filed in a case that was not initiated by joint petition.
<input type="checkbox"/>		The party filing the Motion/Opposition previously paid a fee of \$129 or \$57.
-OR-		
<input type="checkbox"/>	\$129	The Motion being filed with this form is subject to the \$129 fee because it is a motion to modify, adjust or enforce a final order.
-OR-		
<input type="checkbox"/>	\$57	The Motion/Opposition being filing with this form is subject to the \$57 fee because it is an opposition to a motion to modify, adjust or enforce a final order, or it is a motion and the opposing party has already paid a fee of \$129.

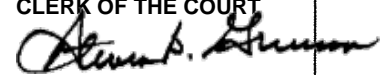
Step 3. Add the filing fees from Step 1 and Step 2.

The total filing fee for the motion/opposition I am filing with this form is:											
<input checked="" type="checkbox"/>	\$0	<input type="checkbox"/>	\$25	<input type="checkbox"/>	\$57	<input type="checkbox"/>	\$82	<input type="checkbox"/>	\$129	<input type="checkbox"/>	\$154

Party filing Motion/Opposition: Employee of Roberts Stoffel Family Law Group Date 3/9/21

Signature of Party or Preparer /s/ Amanda M. Roberts, Esq.

AA1877



1 **EXH**

2 Amanda M. Roberts, Esq.
3 State of Nevada Bar No. 9294

4 **ROBERTS STOFFEL FAMILY LAW GROUP**

5 4411 South Pecos Road

6 Las Vegas, Nevada 89121

7 PH: (702) 474-7007

8 FAX: (702) 474-7477

9 EMAIL: efile@lvfamilylaw.com

10 Attorneys for Plaintiff, Emily Bellisario

11 **DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 EMILY BELLISARIO,

14 Plaintiff,

15 v.

16 BRADLEY BELLISARIO,

17 Defendant.

Case No: D-20-605263-D

Dept No: P

18 **EXHIBITS IN SUPPORT**
19 **PLAINTIFF'S MOTION TO**
20 **EXTEND PROTECTION ORDER,**
21 **JOINING BRADLEY'S BUSINESS**
22 **AS A PARTY TO THIS ACTION,**
23 **APPOINT A RECEIVER FOR THE**
24 **BUSINESS, DEEMING BRADLEY**
25 **VEXATIOUS LITIGATION AND**
26 **CONSOLIDATING CIVIL CASES**
27 **TO THIS ACTION, MODIFYING**
28 **LEGAL CUSTODY, MODIFYING**
VISITATION, FOR MENTAL
HEALTH EVALUATION, FOR
ORDER TO SHOW CAUSE AND
TO HOLD BRADLEY IN
CONTEMPT, TO REDUCE CHILD
SUPPORT ARREARS TO
JUDGMENT, TO REDUCE
TEMPORARY SUPPORT TO
JUDGMENT, FOR AN AWARD OF
ATTORNEY'S FEES AND COSTS,
AND RELATED RELIEF.

1 In accordance with *EDCR* § 5.205, the Plaintiff, Emily Bellisario, hereby
2 submits Exhibits in Support of Motion To Extend Protection Order, Joining
3 Bradley's Business As A Party To This Action, Appoint A Receiver For The
4 Business, Deeming Bradley Vexatious Litigation And Consolidating Civil Cases To
5 This Action, Modifying Legal Custody, Modifying Visitation, For Mental Health
6 Evaluation, For Order To Show Cause And To Hold Bradley In Contempt, To
7 Reduce Child Support Arrears To Judgment, To Reduce Temporary Support To
8 Judgment, For An Award Of Attorney's Fees And Costs, And Related Relief.
9
10

EXHIBIT	DESCRIPTION	BATE STAMP NUMBER
1.	Photographs taken by Emily on or about August 1, 2019, of holes in the wall.	PLTF0001-PLTF0003
2.	Photographs taken by Emily on or about August 1, 2019, of injuries she sustained/bruises.	PLTF0025
3.	Photographs of the damages to Emily's residence on or about September 16, 2019.	PLTF0004-PLTF0025
4.	Ring camera video from on or about June 22, 2020.	PLTF0032
5.	Photographs of the damage Bradley cased on or about June 22, 2020, to Emily's house, neighbors cars, etc.	PLTF0035-PLTF0040
6.	Emily's call log from her cellular device showing three (3) calls from Bradley in violation of the Protection Order.	PLTF0460
7.	Text messages from Bradley to Emily.	PLTF0461
8.	Bradley's communication to Ms. Roberts during the litigation.	PLTF0386-PLTF0394 and PLTF0459

9.	Ring camera video from on or about January 2, 202, showing Bradley throwing juice boxes and food at Emily's residence.	PLTF0395
10.	Bradley's voicemail messages to Marathon Legal Group.	PLTF0464-PLTF0466
11.	Amended Order After Hearing from on July 30, 2020.	PLTF0452-PLTF0458
12.	Plaintiff's Affidavit in Support of Motion and Request for Contempt.	PLTF0447-PLTF0451

DATED this 9th day of March, 2021.

ROBERTS STOFFEL FAMILY LAW GROUP

By: Amanda M. Roberts

Amanda M. Roberts, Esq.
State Bar of Nevada No. 9294
4411 South Pecos Road
Las Vegas, Nevada 89121
PH: (702) 474-7007
FAX: (702) 474-7477
EMAIL: efile@lvfamilylaw.com
Attorneys for Plaintiff, Emily Bellisario

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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Roberts Stoffel Family Law Group,
and on the 9th day of March, 2021, I served by and through Wiz-Net electronic
service, pursuant to Clark County District Court Administrative Order 14-2 for
service of documents identified in Rule 9 of the N.E.F.C.R., the foregoing Exhibits
In Support Of Plaintiff's Motion To Extend Protection Order, Joining Bradley's
Business As A Party To This Action, Appoint A Receiver For The Business,
Deeming Bradley Vexatious Litigation And Consolidating Civil Cases To This
Action, Modifying Legal Custody, Modifying Visitation, For Mental Health
Evaluation, For Order To Show Cause And To Hold Bradley In Contempt, To
Reduce Child Support Arrears To Judgment, To Reduce Temporary Support To
Judgment, For An Award Of Attorney's Fees And Costs, And Related Relief, to the
following:

Bradley Bellisario
Email: Bradb@bellisariolaw.com
Defendant

By: Amanda M. Robert
Employee of Roberts Stoffel Family Law Group

EXHIBIT “1”

EXHIBIT “1”

EXHIBIT “1”

12:06 4



August 6, 2019
10:17 PM

Edit

⦿ LIVE



PLTF0001

AA1883

12:07



August 6, 2019
10:16 PM

Edit



PLTF0002

AA1884

August 6, 2019
10:16 PM

Edit



PLTF0003

AA1885

EXHIBIT “2”

EXHIBIT “2”

EXHIBIT “2”

1:48 ↗



September 10, 2017
10:22 AM

Edit



PLTF0025

AA1887

EXHIBIT “3”

EXHIBIT “3”

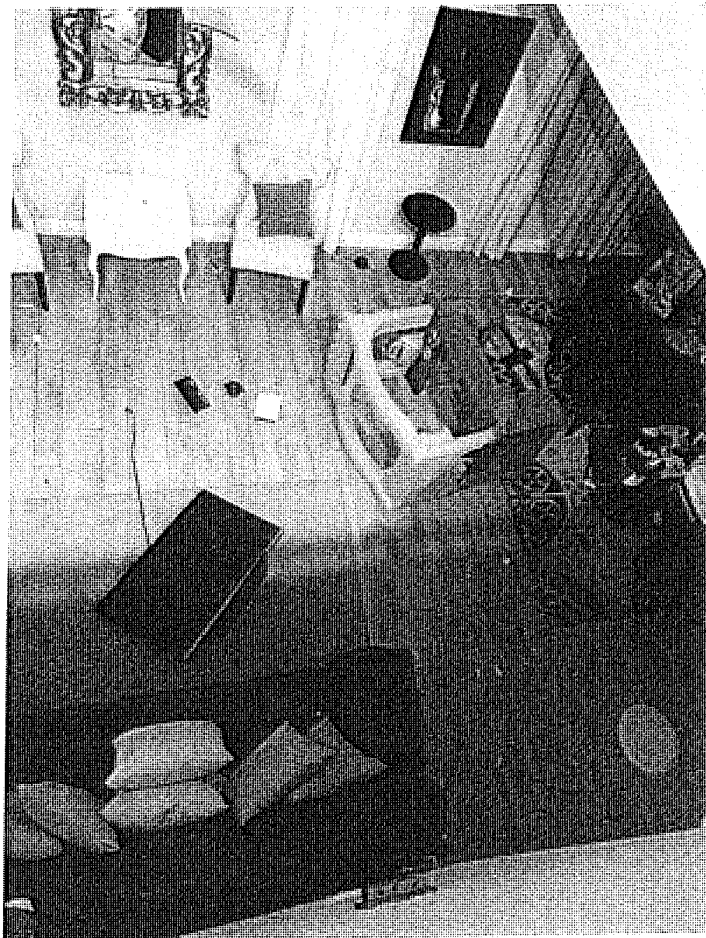
EXHIBIT “3”

12:56



September 16, 2019
8:29 PM

Edit



PLTF0004

AA1889

12:56



September 16, 2019
8:44 PM

Edit



PLTF0005

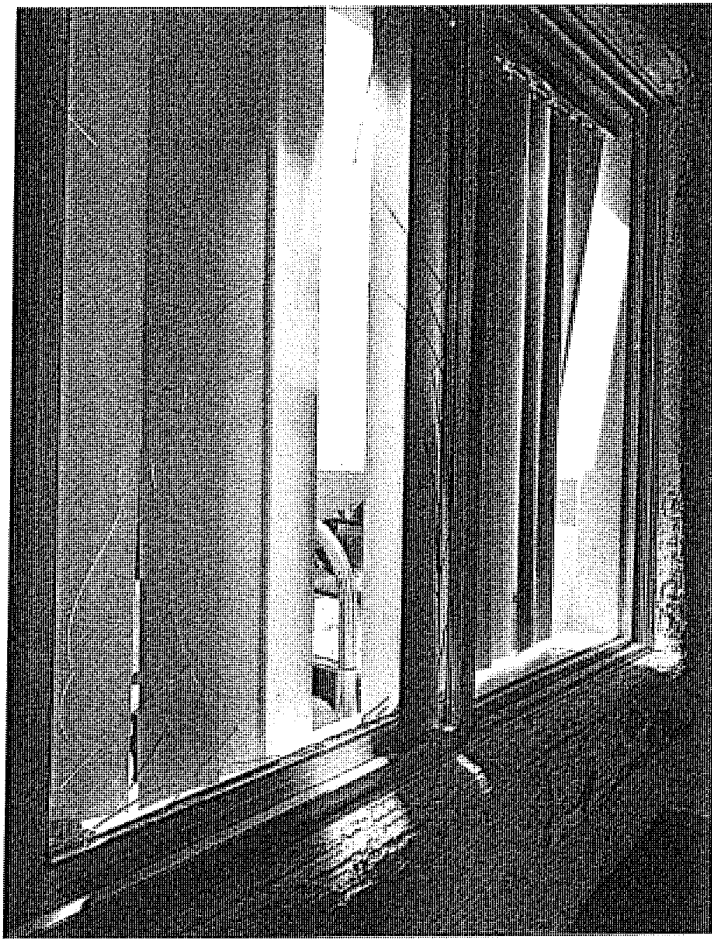
AA1890

12:57 4



September 16, 2019
8:44 PM

Edit



PLTF0006

AA1891

12:57



September 16, 2019
8:44 PM

Edit



PLTF0007

AA1892

12:57



September 16, 2019
8:45 PM

Edit



PLTF0008

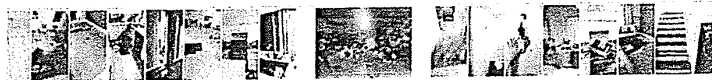
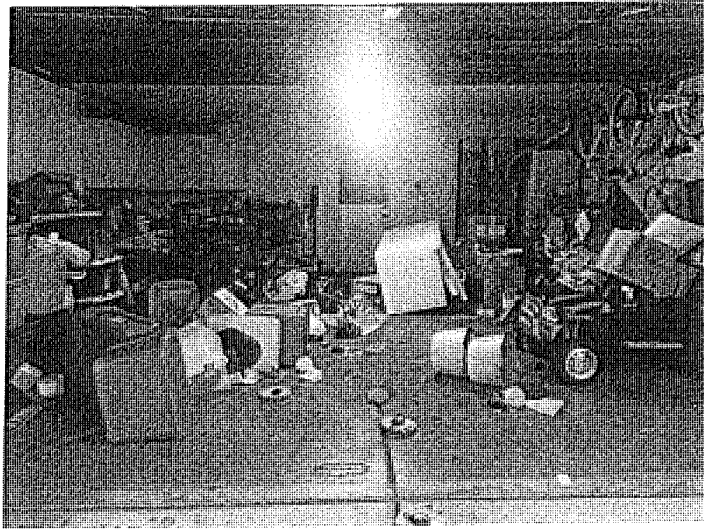
AA1893

12:57 4



September 17, 2019
6:58 PM

Edit



PLTF0009

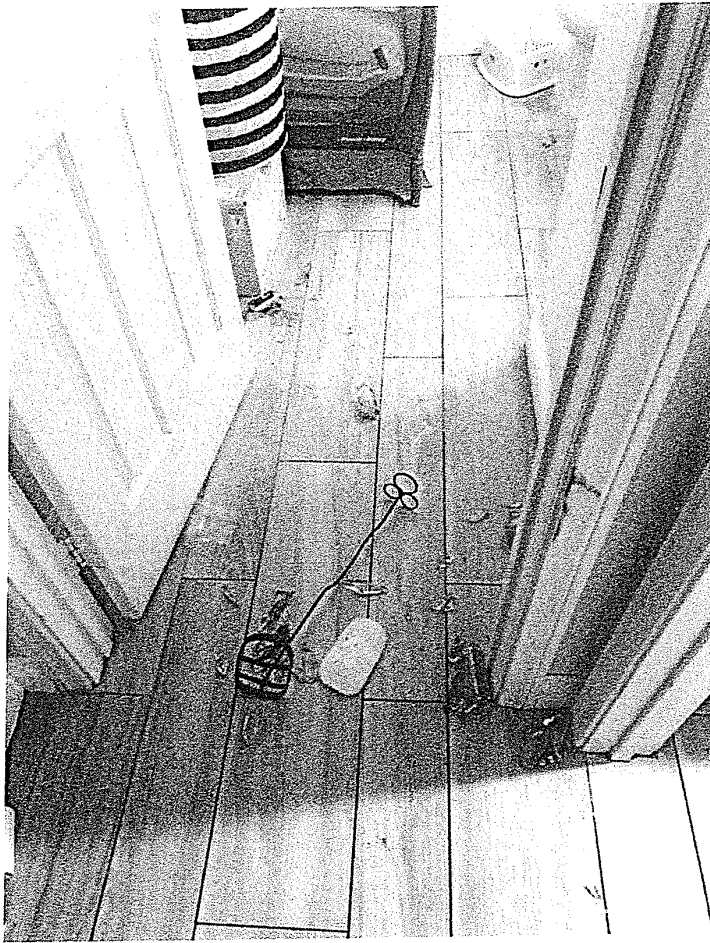
AA1894

12:57



September 17, 2019
6:58 PM

Edit



PLTF0010

AA1895

12:57



September 17, 2019
6:59 PM

Edit



PLTF0011

AA1896

12:57 4



September 17, 2019
6:59 PM

Edit



PLTF0012

AA1897

12:57 4



September 17, 2019
6:59 PM

Edit



PLTF0013

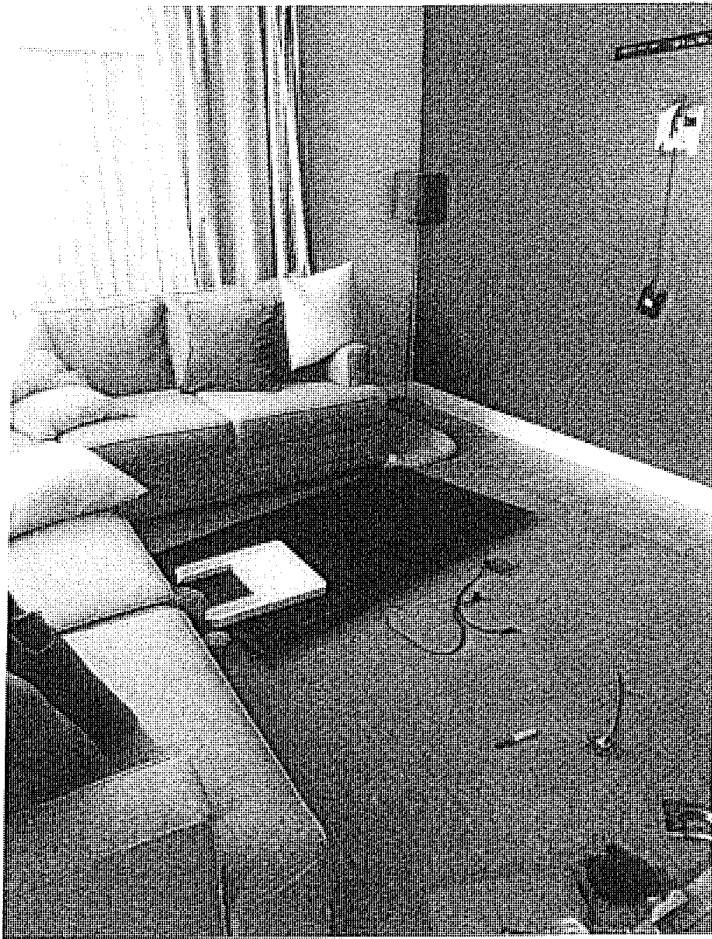
AA1898

12:57



September 17, 2019
7:00 PM

Edit



PLTF0014

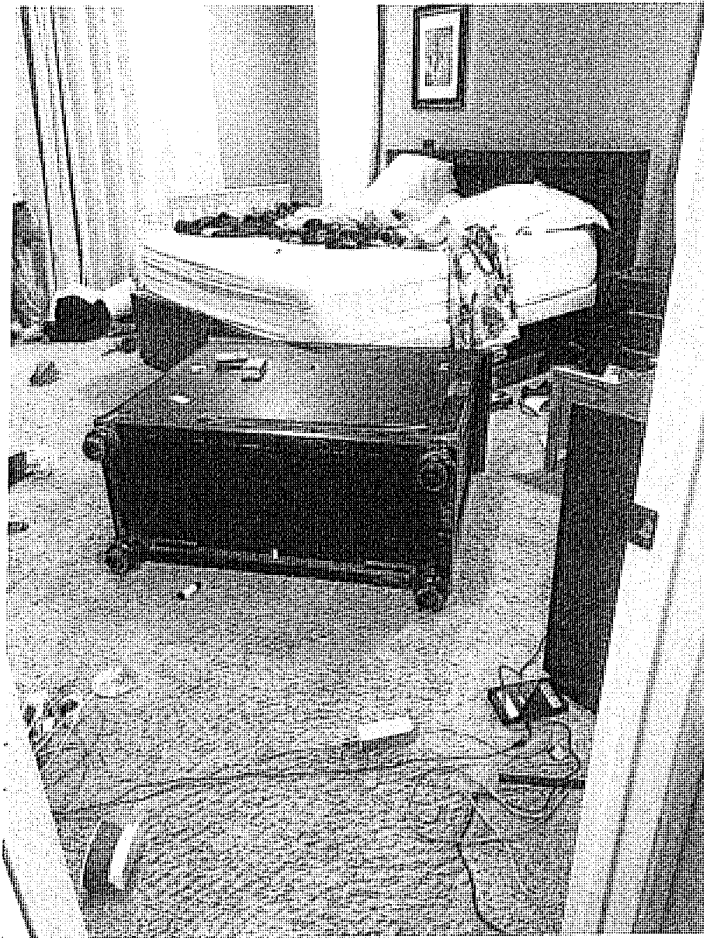
AA1899

12:57



September 17, 2019
7:00 PM

Edit



PLTF0015

AA1900

12:57



September 17, 2019
7:01 PM

Edit



PLTF0016

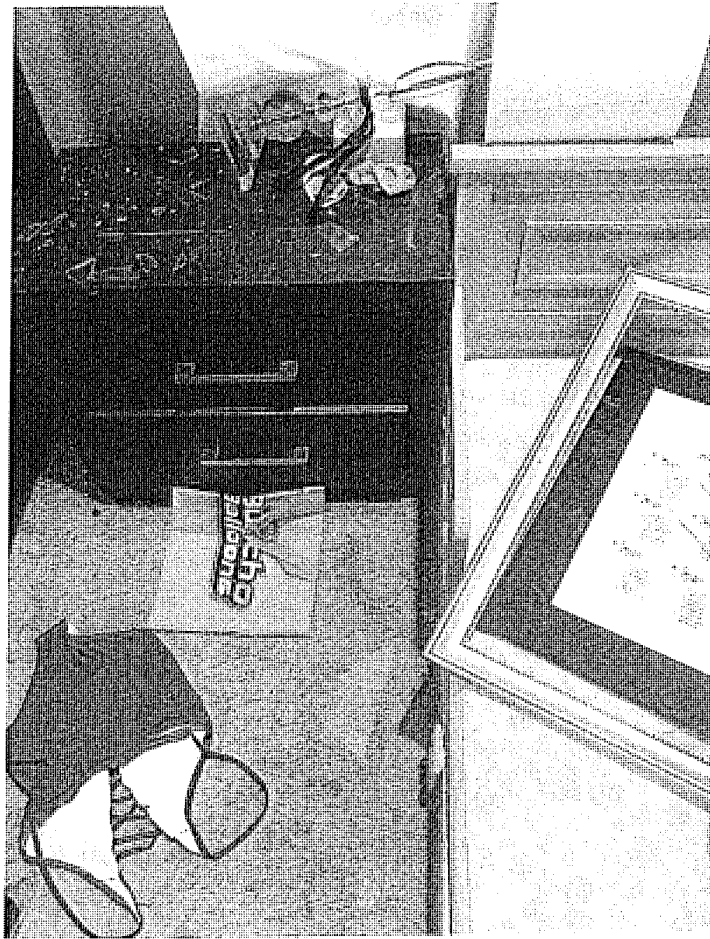
AA1901

12:57 4



September 17, 2019
7:03 PM

Edit



PLTF0017

AA1902

12:58 4



September 17, 2019
7:03 PM

Edit



PLTF0018

AA1903

12:58 4



September 17, 2019
7:05 PM

Edit



PLTF0019

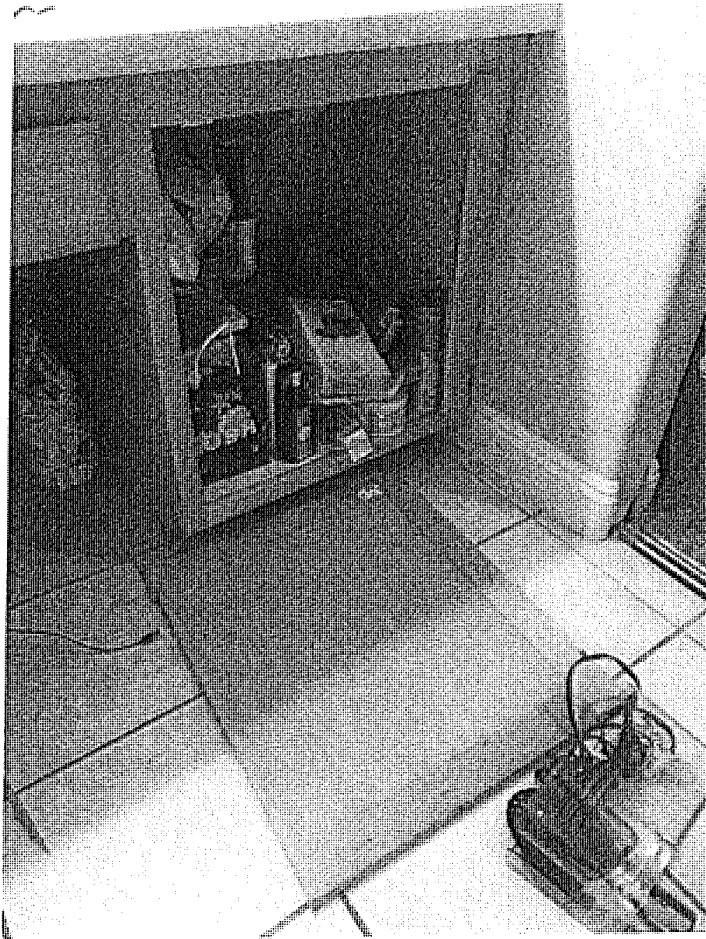
AA1904

12:58 ↵



September 17, 2019
7:06 PM

Edit



PLTF0020

AA1905

1:05



September 19, 2019
8:30 AM

Edit



PLTF0021

AA1906

1:05



September 19, 2019
8:30 AM

Edit



PLTF0022

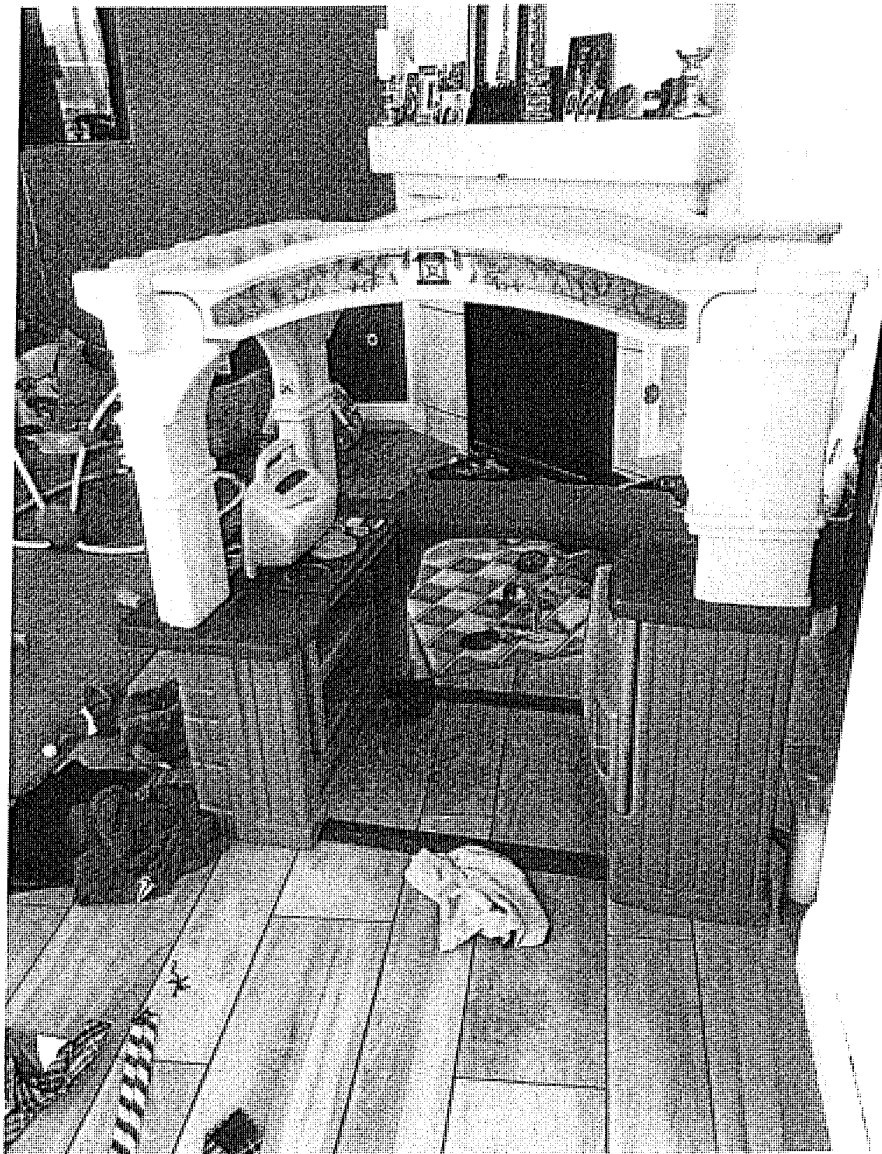
AA1907

1:49



September 10, 2017
3:48 PM

Edit



PLTF0023

AA1908

1:48



September 10, 2017
3:48 PM

Edit



PLTF0024

AA1909

1:48 ↵



September 10, 2017
10:22 AM

Edit



PLTF0025

AA1910

VIDEO

EXHIBIT “4”

VIDEO

EXHIBIT “4”

VIDEO

EXHIBIT “4”

EXHIBIT “5”

EXHIBIT “5”

EXHIBIT “5”



PLTF0035

AA1913



PLTF0036

AA1914



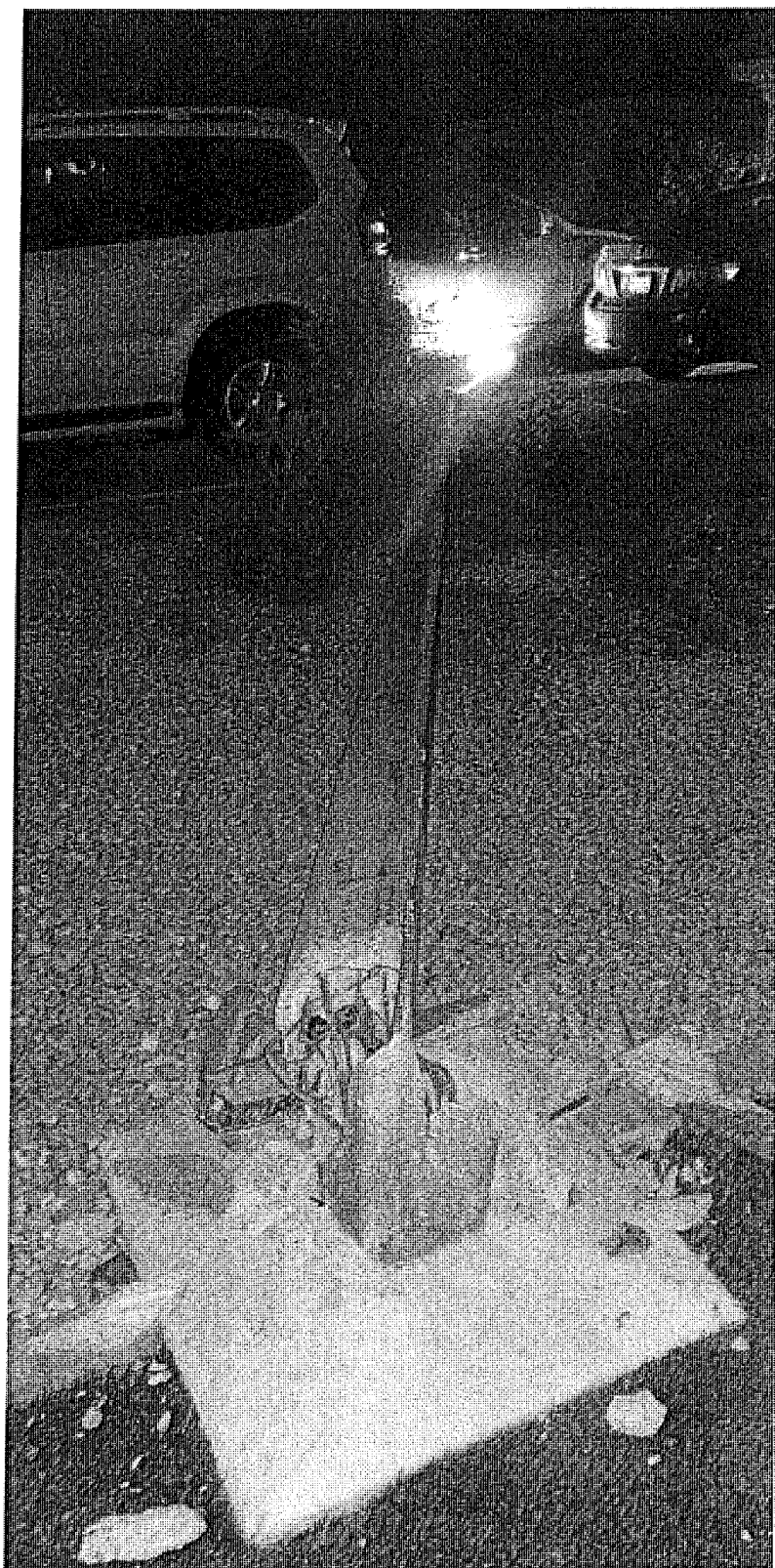
PLTF0037

AA1915



PLTF0038

AA1916



PLTF0039

AA1917



PLTF0040

EXHIBIT “6”

EXHIBIT “6”

EXHIBIT “6”

1:47



All

Missed

Edit

Recents

	+1 (309) 397-6734 (3) FaceTime Audio	12:12 AM
	911 unknown	12:09 AM
	+1 (702) 909-8987 Las Vegas, NV	Yesterday
	+1 (702) 541-7874 Las Vegas, NV	Yesterday
	Yota New Phone Iphone (2) phone	Yesterday
	Yota New Phone Iphone (3) phone	Yesterday
	+1 (725) 209-5978 Indian Springs, NV	Yesterday
	James SONIA other	Yesterday
	James SONIA other	Friday
	Yota Yaya Markos phone	Friday
	Felipe phone	Friday



Favorites



Recents



Contacts



Keypad



Voicemail

PLTF0460

AA1920

EXHIBIT “7”

EXHIBIT “7”

EXHIBIT “7”

1:48



+1 (309) 397-6734 >

Mon, Jul 6, 8:25 PM

Answer a GD ofw message asshole

And see I was being nice. I didn't call you and your dad giant fucking pieces of shit for what your were doing to Brayden or tell you to go fuck yourselves.

Text Message
Yesterday 11:53 PM

Gonna murder
You slut

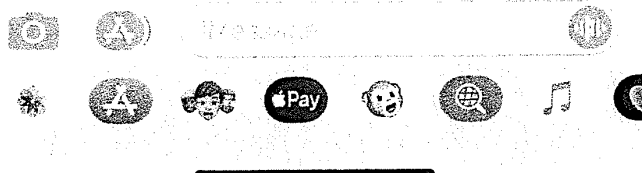
Come see me before the 30th lor after. You're gonna pay for what guy did

I'm going to kill you before the 395 th slut bag

Your kids shkuidnt hear that shot from their retarded grandpa that never took care of them. See yuh in the after life slut

iMessage

See you soon whore bag



PLTF0461

AA1922

EXHIBIT “8”

EXHIBIT “8”

EXHIBIT “8”

Colleen O'Brien

From: bradley bellisario <bradb@bellisariolaw.com>
Sent: Wednesday, December 30, 2020 3:10 PM
To: Colleen O'Brien
Cc: efile
Subject: Re: Bellisario

Good afternoon Mass Roberts and Ms. O'Brien.

Please let me know when the prostitute you represent would like to provide make up time with my son, Brayden. She never attempted to bring to him out with the girls on Saturday.

Bradley Bellisario

From: Colleen O'Brien <colleen@lvfamilylaw.com>
Date: Wednesday, December 16, 2020 at 4:51 PM
To: bradley bellisario <bradb@bellisariolaw.com>
Cc: efile <efile@lvfamilylaw.com>
Subject: RE: Bellisario

I downloaded all of our disclosures onto a USB Drive and mailed the same.

Thank you,

Colleen O'Brien
Legal Assistant to Amanda M. Roberts, Esq.
ROBERTS STOFFEL FAMILY LAW GROUP
4411 S. Pecos Road
(Office is located on a small side street, University)
Las Vegas, Nevada 89121
PH: (702) 474-7007
FAX: (702) 474-7477
WEB: lvfamilylaw.com

The contents of this electronic mail message are confidential in nature and intended solely for the individual as addressed. Should you receive this electronic mail message in error, please delete this electronic mail message and/or contact Roberts Stoffel Family Law Group immediately at the number listed above.

PLEASE REPLY ALL WHEN RESPONDING TO EMAILS

Due to COVID-19 and Governor Sisolak's mandate for the closure of non-essential businesses, Roberts Stoffel Family Law Group will be engaging in social distancing and taking measure to limit contact with the public. That means that we are prohibited from in-person meetings with members of the public. The firm will remain operational at the present time, but we will be working remotely with limited services in the office. Therefore, all clients meeting and consultations will be made via telephone. We can be reached via telephone at (702) 474-7007.

Our hours will also be modified as follows: Mondays through Thursdays: 8:00 a.m. to 5:00 p.m., and Fridays: 8:00 a.m. to 4:00 p.m.

We truly apologize for any inconvenience that this has caused. As we try to work through this trying time, we will continue to provide legal services for our community to the greatest extent possible. It is **very important** during this

time to ensure that you copy efile@lvfamilylaw.com on all emails so that your legal matters can be addressed by any staff member who is working during the limited hours of operation.

From: bradley bellisario <bradb@bellisariolaw.com>
Sent: Wednesday, December 16, 2020 4:27 PM
To: Colleen O'Brien <colleen@lvfamilylaw.com>
Subject: Re: Bellisario

Didn't get a response.

Sent from my iPhone

On Dec 16, 2020, at 4:05 PM, bradley bellisario <bradb@bellisariolaw.com> wrote:

Please share the previous disclosures as I don't have them.

Sent from my iPhone

On Dec 16, 2020, at 3:33 PM, Colleen O'Brien <colleen@lvfamilylaw.com> wrote:

Bradley,

I just served you our Fourth Supplemental Disclosures.

Bates Stamp PLTF50 are videos.

I have uploaded them to Dropbox.

Please let me know if you prefer that I put the video on a disc and mail it.

Thank you,

Colleen O'Brien
Legal Assistant to Amanda M. Roberts, Esq.
ROBERTS STOFFEL FAMILY LAW GROUP
4411 S. Pecos Road
(Office is located on a small side street, University)
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Colleen O'Brien

From: bradley bellisario <bradb@bellisariolaw.com>
Sent: Wednesday, December 30, 2020 4:20 PM
To: Colleen O'Brien
Cc: efile
Subject: Re: Bellisario

Can you or Mass Roberts please respond with a time for make up visitation. Please contact the prostitute and have a response ASAP.

Sent from my iPhone

On Dec 30, 2020, at 3:10 PM, bradley bellisario <bradb@bellisariolaw.com> wrote:

Good afternoon Mass Roberts and Ms. O'Brien.

Please let me know when the prostitute you represent would like to provide make up time with my son, Brayden. She never attempted to bring to him out with the girls on Saturday.

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To: Colleen O'Brien <colleen@lvfamilylaw.com>
Subject: Re: Bellisario

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Sent from my iPhone

On Dec 16, 2020, at 4:05 PM, bradley bellisario <bradb@bellisariolaw.com> wrote:

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Sent from my iPhone

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<colleen@lvfamilylaw.com> wrote:

Bradley,

I just served you our Fourth Supplemental Disclosures.

Bates Stamp PLTF50 are videos.

I have uploaded them to Dropbox.

Please let me know if you prefer that I put the video on a disc and mail it.

Thank you,

Colleen O'Brien

Legal Assistant to Amanda M. Roberts, Esq.
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Colleen O'Brien

From: bradley bellisario <bradb@bellisariolaw.com>
Sent: Thursday, December 31, 2020 9:46 AM
To: Colleen O'Brien
Subject: Re: Automatic reply: Bellisario

Could Mass Roberts please respond after her morning pie. Thank you.

Sent from my iPhone

On Dec 30, 2020, at 4:20 PM, Colleen O'Brien <colleen@lvfamilylaw.com> wrote:

In observation of the holiday season, Roberts Stoffel Family Law Group will be closed from Wednesday, December 23, 2020 at noon through Monday, January 4, 2021 at 8:00 a.m. During that time, attorneys and staff will not have access to their emails, the email being checked will be efile@lvfamilylaw.com except on Christmas Eve, Christmas Day and New Year's Day. Any emails not copied to efile@lvfamilylaw.com will not be responded to until the office reopens.

If you have an urgent issue during this time, please send an email to efile@lvfamilylaw.com, but also call the office at (702) 474-7007 and leave a voicemail to alert the attorneys and staff to the urgency of the issue. Someone is checking voicemails daily except on Christmas Eve, Christmas Day and New Year's Day.

We wish you and your family a happy and safe holiday season!

Colleen O'Brien

From: bradley bellisario <bradb@bellisariolaw.com>
Sent: Thursday, December 31, 2020 2:22 PM
To: efile
Subject: Re: Automatic reply: Bellisario

Hey Fat Fuck. Can you please let me know when Emily will be providing make up visitation. Happy new year.

Sent from my iPhone

On Dec 31, 2020, at 9:45 AM, bradley bellisario <bradb@bellisariolaw.com> wrote:

Could Mass Roberts please respond after her morning pie. Thank you.

Sent from my iPhone

On Dec 30, 2020, at 4:20 PM, Colleen O'Brien <colleen@lvfamilylaw.com> wrote:

In observation of the holiday season, Roberts Stoffel Family Law Group will be closed from Wednesday, December 23, 2020 at noon through Monday, January 4, 2021 at 8:00 a.m. During that time, attorneys and staff will not have access to their emails, the email being checked will be efile@lvfamilylaw.com except on Christmas Eve, Christmas Day and New Year's Day. Any emails not copied to efile@lvfamilylaw.com will not be responded to until the office reopens.

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We wish you and your family a happy and safe holiday season!

Colleen O'Brien

From: bradley bellisario <bradb@bellisariolaw.com>
Sent: Friday, January 8, 2021 3:14 PM
To: Colleen O'Brien
Cc: efile
Subject: Re: Automatic reply: Bellisario

Hey fat fuck. Let me know if we can work out Emily giving me makeup time before noon tomorrow.

Sent from my iPhone

On Dec 30, 2020, at 4:20 PM, Colleen O'Brien <colleen@lvfamilylaw.com> wrote:

In observation of the holiday season, Roberts Stoffel Family Law Group will be closed from Wednesday, December 23, 2020 at noon through Monday, January 4, 2021 at 8:00 a.m. During that time, attorneys and staff will not have access to their emails, the email being checked will be efile@lvfamilylaw.com except on Christmas Eve, Christmas Day and New Year's Day. Any emails not copied to efile@lvfamilylaw.com will not be responded to until the office reopens.

If you have an urgent issue during this time, please send an email to efile@lvfamilylaw.com, but also call the office at (702) 474-7007 and leave a voicemail to alert the attorneys and staff to the urgency of the issue. Someone is checking voicemails daily except on Christmas Eve, Christmas Day and New Year's Day.

We wish you and your family a happy and safe holiday season!

ELECTRONICALLY SERVED
2/4/2021 2:47 PM

FEBRUARY 4, 2021

Sent Via Electronic Service Only

Amanda Roberts
4411 S. Pecos Rd.
Las Vegas, NV 89121

RE: *Bellisario vs. Bellisario (D-20—605263-D)*

Ms. Amanda Roberts,

As Michael Jordan once stated, "I'm back." I'm sure your client has informed you of the events from January 23, 2020. Pursuant to communication with authorities it is evident that you and your client conspired to file a false police report in June of 2020 and further communicated with authorities to have me taken into police custody, in front of my children in an effort for me to miss family court on January 25, 2020. You truly are the biggest piece of trash I've ever encountered. You and your husband must love being sued.

Please take notice that due to my ten (10) day incarceration I missed my visitation time on January 30, 2020 with all three of my children. I have made accommodations for either Saira McKinley or my mom to pick up all three (3) children on February 6, 2020 at noon for my visitation. My mother was previously approved by CPS as a supervisor, additionally, your client previously agreed to Saira McKinley as a supervisor. Any resistance to the two previously approved supervisors as transportation for the visitation will be met with a motion, request for sanctions, and bar complaint.

Additionally, we will need to schedule makeup time for the visitation I missed on January 30th due to you and your client's illegal actions. I am agreeable to have the children for a full 8 hours on February 6th, or we can schedule an additional four (4) hour visit on any other day in the immediate future. Any resistance, or another claim that your client's position is that I had my visitation, will be met with a motion, request for sanctions, and bar complaint.

Please respond as soon as possible. If I do not hear back from you on this matter by 5pm Friday I will file a motion accordingly.

Not cordially yours,

/s/ Bradley Bellisario
Bradley Bellisario
7100 Grand Montecito Pkwy, #2054
Las Vegas, NV 89149
T: 309.397.6734
E: bradb@bellisariolaw.com

Case Number: D-20-605263-D

PLTF0459

AA1933

VIDEO

EXHIBIT “9”

VIDEO

EXHIBIT “9”

VIDEO

EXHIBIT “9”

RECORDING

EXHIBIT “10”

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EXHIBIT “10”

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EXHIBIT “10”

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EXHIBIT “11”

EXHIBIT “11”

1 **ORDR**

2 Amanda M. Roberts, Esq.

3 State Bar of Nevada No. 9294

4 **ROBERTS STOFFEL FAMILY LAW GROUP**

5 4411 S. Pecos Road

6 Las Vegas, Nevada 89121

7 PH: (702) 474-7007

8 FAX: (702) 474-7477

9 EMAIL: efile@lvfamilylaw.com

10 Attorneys for Plaintiff, Emily Bellisario

11 **DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 EMILY BELLISARIO,

) Case No: D-20-605263-D

) Dept No: P

14 Plaintiff,

)

15 v.

)

) **AMENDED ORDER AFTER**

16 BRADLEY BELLISARIO,

) **HEARING**

)

17 Defendant.

)

) Date of Hearing: July 30, 2020

) Time of Hearing: 10:00 a.m.

18 THIS MATTER having come before the Court on the 30th day of July,
19 2020, on Plaintiff's Motion for Primary Physical Custody of the Minor Children,
20 for Child Support and Health Insurance Coverage, for an Outsourced Alcohol/
21 Psychological Evaluation of the Defendant, to Confirm and Consolidate the
22 Temporary Protective Orders, for Spousal Support, and for an Award of
23 Attorney's Fees and Costs; and Defendant's Opposition and Countermotion for
24 Shared Physical Custody, Child Support and Attorney's Fees; and a continued
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1 Case Management Conference. This matter being heard simultaneously with
2 Case No. T-20-206639-T, wherein the Plaintiff is the Applicant, and the
3 Defendant is the Adverse Party. The Plaintiff, Emily Bellisario, being present
4 and represented, by and through her attorney of record, Amanda M. Roberts,
5 Esq., of Roberts Stoffel Family Law Group, and the Defendant, Bradley
6 Bellisario, being present and represented by and through his attorney of record,
7 Christopher R. Tilman, Esq. The Parties and Counsels each being present by
8 video via Blue Jeans pursuant to Administrative Orders, and the Court having
9 heard the argument of Counsel and reviewed the pleadings on file herein hereby
10 Orders as follows:

14 THE COURT HEREBY FINDS that upon confirmation between Counsels,
15 the Parties have stipulated to a custody evaluation, including an evaluation of the
16 Parties. (Video Timestamp: 11:25:00)

18 THE COURT FURTHER FINDS the issues before this Court this date are
19 the pending Motions and the continued Case Management Conference; therefore,
20 financial issues may be addressed. (Video Timestamp: 11:27:30)

22 THE COURT FURTHER FINDS that Attorney Tilman stated that today's
23 status check hearing was premature as Dr. Holland has not been engaged yet and
24 Dr. Ponzo has not provide the report on the reunification. Mr. Tilman requested the
25

1 matter be continued for (45) days and also stated concerns as to a Trial being set in
2 this matter. (Video Timestamp: 11:25:15)

3
4 THE COURT HEREBY FINDS that Attorney Roberts advised the Court that
5 Counsels have not been able to address the financials of this case. Counsel further
6 stated that, since the filing of the stipulation on June 10, 2020, Bradley has been
7 arrested three (3) separate times: on June 22, 2020 for a DUI and violating the TPO
8 (as it pertains to the Plaintiff), on July 2, 2020 for violating the Temporary
9 Protection Order (specifically repeatedly threatening, in writing, to kill Emily), and
10 on July 26, 2020 for aggravated stalking and threatening, in writing, to kill Emily.
11
12 Attorney Roberts further advised the Court as to the threats made by Bradley to
13 Emily's prior Counsel, Joe Ricco, Esq., as well as making threats against Attorney
14 Roberts' husband and Attorney Ricco's wife. Ms. Roberts represented Bradley is
15 an attorney himself and issues regarding his behavior may be brought before the
16 State Bar of Nevada. Bradley's behavior is very concerning to Counsel as she is
17 very concerned for Emily's safety. Bradley cut off internet access to Emily's
18 residence; therefore, she no longer has security surveillance at the residence.
19 Counsel believes this was done in furtherance of his plan; Bradley specifically
20 informed Emily on July 26, 2020, that he would kill Emily before today's hearing.
21
22 (Video Timestamp: 11:26:49)

1 THE COURT FURTHER FINDS that Attorney Tilman advised that Bradley
2 is being represented by Attorney Ross Goodman for the criminal matters, as well as
3 in front of the State Bar. Attorney Tilman further indicated Bradley is looking at an
4 inpatient program and is contemplating placing his license to practice law on an
5 inactive status. (Video Timestamp: 11:29:30)
6

7 THE COURT FURTHER FINDS that until Bradley get some help, this Court
8 is not ready to extend his visitation beyond supervised visitation. (Video
9 Timestamp: 11:35:08)
10

11 THE COURT FURTHER FINDS that upon inquiry by this Court, Attorney
12 Tilman represented Bradley is continuing to actively practice law at this time.
13 (Video Timestamp: 11:35:12)
14

15 THE COURT HEREBY FINDS that Bradley was sworn in and testified.
16 The Court canvassed Bradley as to the amount of money he has given Emily as and
17 for support. (Video Timestamp: 11:36:20) Bradley represented he has provided
18 \$3,500.00 per month to Emily and then more when she has asked for it, excluding
19 last month as he did not have the money. (Video Timestamp: 11:36:42) The Court
20 noted concerns as to who is paying the mortgage on the home. Bradley represented
21 he was previously paying the mortgage, but he believes Emily changed it as he did
22 not see the mortgage coming out of the joint account any longer. (Video
23 Timestamp: 11:37:39)
24
25
26

1 NOW THEREFORE,

2 THE COURT HEREBY ORDERS the Temporary Order of Protection (TPO)
3
4 issued in Case No. T-20-206639-TPO is extended until May 10, 2021. (Video
5 Timestamp: 11:38:40)

6 THE COURT FURTHER ORDERS that, should there be any further acts of
7
8 violence or threats of violence, the TPO shall be extended for an additional year
9 (i.e. would be extended until May of 2022). (Video Timestamp: 11:38:10)

10 THE COURT FURTHER ORDERS that until October 22, 2020, Bradley
11 shall have supervised visitations with the minor children at Donna's House on
12
13 Sundays between 2:00 p.m. and 4:00 p.m. (Video Timestamp: 11:41:30, 11:42:25
14 and 11:44:39) A separate Order for Supervised Visitations was filed in open Court.

15 THE COURT FURTHER ORDERS that if Bradley goes into an inpatient
16
17 rehabilitation, his visitations will be suspended for that period of time, but if he
18 successfully completes this rehabilitation, this Court would provide make-up
19 visitation. (Video Timestamp: 11:42:48)

20 THE COURT FURTHER ORDERS that Counsel shall confer and set child
21
22 support as of the date of separation. The child support shall be set based upon
23 Bradley's gross monthly income of \$18,000.00 per month. (Video Citation:
24 11:37:54)
25
26
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1 THE COURT FURTHER ORDERS that, in addition to child support,
2 Bradley shall pay Emily temporary spousal support in the amount of \$1,000.00 per
3 month. This amount is in addition to his child support obligation and retroactive to
4 the date of the Parties separation. (Video Citation: 11:38:00)
5

6 THE COURT FURTHER ORDERS based upon the declarations of income,
7 using the figures set forth by the Court herein, Bradley's support obligation to
8 Emily is set at \$3,560.00 per month [\$2,560.00 child support pursuant to NAC, plus
9 \$1,000.00 temporary support], commencing June of 2019.
10

11 THE COURT FURTHER ORDERS a Return Hearing is scheduled for
12 October 22, 2020, at 11:00 a.m. (Video Timestamp: 11:42:10)
13

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1 THE COURT FURTHER ORDERS that Attorney Roberts is to prepare the
2 Order from today's hearing and Attorney Tilman shall countersign. (Video
3 Timestamp: 11:44:30)
4

5 IT IS SO ORDERED.
6
7

8
9 Submitted this 4th day of
10 February, 2021.

11 **ROBERTS STOFFEL FAMILY**
12 **LAW GROUP**
13

14 By: /s/ Amanda M. Roberts, Esq.
Amanda M. Roberts, Esq.
15 State of Nevada Bar No. 9294
16 4411 South Pecos Road
Las Vegas, Nevada 89121
17 PH: (702) 474-7007
18 FAX: (702) 474-7477
EMAIL: efile@lvfamilylaw.com
19 Attorney for Plaintiff
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EXHIBIT “12”

EXHIBIT “12”

EXHIBIT “12”

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1 June of 2020.” To date, Bradley has not paid his obligation as Ordered by the
2 Court.

3
4 4. COUNT TWO: Pursuant to the Order filed on January 20, 2021, at
5 page 2 at lines 10 through 19, the Court Ordered that Bradley would have
6 supervised visitation with three (3) proposed supervisors as options. The Order
7 reads as follows,
8

9 THE COURT FURTHER ORDERS that the first
10 Saturday after Defendant has commenced SCRAM, his
11 supervised visitation shall be with the minor child,
12 Brayden, from 11:00 a.m. to 5:00 p.m. Each and every
13 Saturday thereafter, until further Order of the Court, he
14 shall have supervised visitations with all three (3)
15 children, from 11:00 a.m. to 5:00 p.m. until further Order
16 of the Court.

17 THE COURT FURTHER ORDERS that the agreed upon
18 supervisors for Defendant’s visitations are Saira
19 McKinley, Tom McKinley, Maternal Grandfather along
20 with Paternal Grandmother or Grandfather.

21 5. On November 14, 2020, in violation of the Court’s Order regarding
22 supervised visitation, Bradley has Saira McKinley do the exchange with Emily and
23 then Saira allowed Bradley to have the children unsupervised. This was
24 documented by private investigator, Hal DeBecker, who had video and photographs
25 of the incidents.

26 6. COUNT THREE: Pursuant to the Order filed on January 20, 2021, at
27 page 2 at lines 10 through 19, the Court Ordered that Bradley would have
28

1 supervised visitation with three (3) proposed supervisors as options. The Order
2 reads as follows,

3
4 THE COURT FURTHER ORDERS that the first
5 Saturday after Defendant has commenced SCRAM, his
6 supervised visitation shall be with the minor child,
7 Brayden, from 11:00 a.m. to 5:00 p.m. Each and every
8 Saturday thereafter, until further Order of the Court, he
9 shall have supervised visitations with all three (3)
10 children, from 11:00 a.m. to 5:00 p.m. until further Order
11 of the Court.

12
13 THE COURT FURTHER ORDERS that the agreed upon
14 supervisors for Defendant's visitations are Saira
15 McKinley, Tom McKinley, Maternal Grandfather along
16 with Paternal Grandmother or Grandfather.

17
18 7. On November 21, 2020, in violation of the Court's Order regarding
19 supervised visitation, Bradley has Saira McKinley do the exchange with Emily and
20 then Saira allowed Bradley to have the children unsupervised. This was
21 documented by private investigator, Hal DeBecker, who had video and photographs
22 of the incidents.

23
24 8. COUNT FOUR: Pursuant to the Order filed on January 20, 2021, at
25 pages 2 and 3 at lines 20 through 5, the Court Ordered that Bradley to turn over
26 financial records. The specific Order reads, "THE COURT FURTHER ORDERS
27 that the Defendant shall deliver to Ms. Roberts immediately his financial books and
28 records regarding his business and income. Ms. Roberts shall keep those records
confidential and they are for her review only, they cannot be reviewed by the

1 Plaintiff. The Defendant's compliance with this Order may purge his contempt for
2 failure to pay the child support and financial support as Ordered." To date, Bradley
3 has failed to produce any financial records pursuant to the Court's Order.
4

5 9. COUNT FIVE: Pursuant to the Order filed on December 10, 2021, at
6 page 2 at lines 5 through 10, the Court Ordered that Bradley again turn over
7 financial records by December 1, 2020. The Order reads, "THE COURT HEREBY
8 ORDERS that the Defendant shall have until the close of business on December 1,
9 2020, to provide Plaintiff's Counsel with all of his financial records and business
10 statements to determine Defendant's income and earnings. If the Defendant fails to
11 comply, this Court recommends that there be an unequal distribution of the assets
12 and debts between the Plaintiff and Defendant." To date, Bradley has failed to
13 produce any financial records pursuant to the Court's Order.
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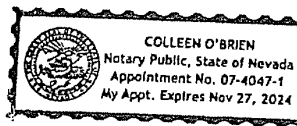
10. Pursuant to *NRS* § 22.100 (2), the penalty for contempt is as a fine of up to \$500.00 per charge and/or imprisonment not to exceed twenty-five (25) days per violation. In addition, according to *NRS* § 22.100 (3), if contempt is found the Court may require reimbursement of fees and costs resulting from the request for contempt. In this matter, Emily is requesting the Court issue whatever sanctions that the Court deems appropriate.

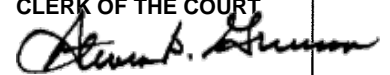
FURTHER AFFLANT SAYETH NAUGHT


Emily Bellisario

Subscribed and Sworn to before me
on this 5 day of February, 2021.

OBrien
Notary Public in and for
said County and State





1 **EPAP**

2 Amanda M. Roberts, Esq.
3 State Bar of Nevada No. 9294

4 **ROBERTS STOFFEL FAMILY LAW GROUP**

5 4411 S. Pecos Road
6 Las Vegas, Nevada 89121

7 PH: (702) 474-7007

8 FAX: (702) 474-7477

9 EMAIL: efile@lvfamilylaw.com

10 Attorneys for Plaintiff, Emily Bellisario

11 **DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 EMILY BELLISARIO,) Case No: D-20-605263-D and
14) T-20-206639-T

15 Plaintiff,) Dept No: P

16 v.)
17) **EX PARTE APPLICATION FOR**
18) **ORDER SHORTENING TIME**

19 BRADLEY BELLISARIO,)

20 Defendant.)

21 COMES NOW the Plaintiff, Emily Bellisario, by and through her attorney of

22 record, Amanda M. Roberts, Esq., of Roberts Stoffel Family Law Group, and

23 hereby moves this Court for an Order Shortening Time on her Motion To Extend

24 Protection Order, Joining Bradley's Business As A Party To This Action, Appoint

25 A Receiver For The Business, Deeming Bradley Vexatious Litigation And

26 Consolidating Civil Cases To This Action, Modifying Legal Custody, Modifying

27 Visitation, For Mental Health Evaluation, For Order To Show Cause And To Hold

1 Bradley In Contempt, To Reduce Child Support Arrears To Judgment, To Reduce
2 Temporary Support To Judgment, For An Award Of Attorney's Fees And Costs,
3 And Related Relief.
4

5 This Application is based upon the Affidavit of Amanda M. Roberts, Esq.
6 Moreover, this Application is made and based upon all the papers, pleadings and
7 records on file herein, as well as the Points and Authorities attached hereto.
8

9 DATED this 03 day of March, 2021.

10 **ROBERTS STOFFEL FAMILY LAW GROUP**

11
12 By: Amanda M. Roberts
13 Amanda M. Roberts, Esq.
14 State Bar of Nevada No. 9294
15 4411 South Pecos Road
16 Las Vegas, Nevada 89106
17 PH: (702) 474-7007
18 FAX: (702) 474-7477
19 EMAIL: efile@lvfamilylaw.com
20 Attorneys for Plaintiff, Emily Bellisario

21 **POINTS AND AUTHORITIES**

22 **I.**

23 **Points and Authority**

24 *EDCR* § 5.513 states, the request for an Order Shortening Time may be
25 sought through *ex parte* means. The request must be accompanied by an Affidavit
26 explaining the need for the request for an Order Shortening Time. The request for
27 an Order Shortening Time can only be granted after the Motion has been served
28

1 absent exigent circumstances (the Motion was served in this matter pursuant to the
2 “Certificate of Service” on file herein).

3
4 The Parties to this action, the Plaintiff, Emily Bellisario (“Emily”) and the
5 Defendant, Bradley Bellisario (“Bradley”), were married on August 16, 2014. The
6 Parties have three (3) minor children, to wit: Brayden Bellisario (“Brayden”), born
7 January 15, 2015; Blake Bellisario (“Blake”), born November 20, 2016; and
8 Brooklyn Bellisario (“Brooklyn”), February 1, 2018. Brayden is six (6) years old;
9 Blake is four (4) years old; and Brooklyn is nearly three (3) years old.

10
11 **Procedural History**

12
13 On November 24, 2020, a hearing was held regarding Bradley’s cooperation
14 in turning over financials and the status of supervised visitation. At that time, Ms.
15 Roberts informed the Court that Bradley had been violating the supervised
16 visitation and not having the agreed upon supervisor(s) present during the entire
17 visitation. At the hearing, the Court Ordered that Bradley had until December 1,
18 2020, to turn over the financial records and books, and if he failed to comply the
19 Court recommended an unequal distribution of his assets; for Ms. Roberts to
20 prepare a Schedule of Arrears (child support and spousal support); Defendant to
21 continue to use SCRAM; and modified Bradley’s visitation to unsupervised on
22 Saturdays from noon until 4:00 p.m. **Judge Pomrenze stated, “I would like to
23 create incentives for you [Bradley] to stay sober and for you not to lose your
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1 temper, and be there for these kids . . . If I can't trust the supervisors, why
2 have supervisors? I do want to lift supervision and have some daytime
3 visitation between the kids and their Dad." (11:21:24)¹
4

5 **Background History:**

6 This case involves an extensive amount of domestic violence as outlined in
7 the Motion.
8

9 On or about July 26, 2020, Bradley repeatedly called Emily around midnight.
10 When Emily did not answer his calls, Bradley started sending her text messages the
11 first one coming in at approximately 11:53 p.m. which stated, "Gonna murder You
12 slut . . . I'm going to kill you before the 395 th slut bag[.]" This is not the first time
13 that Bradley has threatened to kill Emily, and she believes that if given the
14 opportunity he has the ability to engage in this type of violence.
15
16

17 On or about November 14, 2020 and November 21, 2020, in violation of the
18 Court's Order regarding supervised visitation, Bradley has Saira McKinley do the
19 exchange with Emily and then Saira allowed Bradley to have the children
20 unsupervised. This was documented by private investigator, Hal DeBecker, who
21 had video and photographs of the incidents.
22
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24

25 ¹ Emily strongly believes this Order was improper. Emily believes the Court is rewarding
26 Bradley for not complying with Court Orders. Emily believes it is improper for the Court to
27 change the trajectory when Bradley has done nothing to address the issues regarding his behavior,
28 domestic violence, temper, etc.

1 On or about November 24, 2020, the Court released Mr. Tilman as Bradley's
2 attorney. Since that time, Bradley has engaged in inappropriate communication
3 with Ms. Roberts. On or about November 30, 2020, Bradley contacted Ms. Roberts
4 via telephone and kept interrupting, yelling and was being irate to Ms. Roberts
5 during the telephone call to which, Ms. Roberts informed him if the behavior
6 continued, then she would disconnect the telephone call. On or about December 1,
7 2020, Bradley again contacted Ms. Roberts via telephone and was yelling during
8 the telephone call to which, Ms. Roberts informed him if the behavior continued
9 that she would disconnect the call. In response, Bradley yelled into the receiver,
10 "F*CK YOU AMANDA" and then slammed down the receiver. Additionally,
11 Bradley continually refers to Ms. Roberts as "MASS ROBERTS" or "HEY FAT
12 "F*CK" and requesting responses to emails "after her morning pie."

13
14 On or about January 2, 2021, Bradley returned the children to Emily's
15 residence at approximately 4:30 p.m., which is thirty (30) minutes after the end of
16 Court Ordered visitation. Bradley calls the children back to his vehicle and when
17 they do not return, Bradley picks up their juice boxes and food, leftover from
18 McDonald's, and throws them at Emily's house.

19 On or about January 19, 2021, Brayden was overheard by his tutor telling
20 another child that he was going to "shoot his Mom in the head." He also was heard
21 saying, "I hate my grandparents and hope they die." On January 20, 2021, when
22

1 the tutor attempted to garner Brayden's focus on schooling, he told the tutor that if
2 she tried to make him, that he would "chop you up with an axe and make you die."
3
4 This behavior is extremely concerning and Bradley's continual attempts to interfere
5 with Brayden's therapy by filing repeated lawsuits against his therapists are
6 disheartening because Brayden clearly needs help!

7
8 On or about January 23, 2021, Bradley was arrested after visitation for an
9 outstanding warrant related to the criminal charges. On or about February 4, 2021,
10 it appears that Bradley was released from the Clark County Detention Center
11 ("CCDC"). On that date, Bradley again began contacting Emily's Counsel making
12 inappropriate comments and demands.
13

14 **It is not safe for the Parties' children to be unsupervised in Bradley's**
15 **care. {EMPHASIS ADDED}** Therefore, Good cause exists for Emily's request
16 for an expedited hearing to be granted herein, on an Order Shortening Time.
17

18 **III.**
19 **Conclusion**

20 Therefore, based upon the foregoing, Emily requests this Court grant her
21 request for an Order Shortening Time on her Motion To Extend Protection Order,
22 Joining Bradley's Business As A Party To This Action, Appoint A Receiver For
23 The Business, Deeming Bradley Vexatious Litigation And Consolidating Civil
24 Cases To This Action, Modifying Legal Custody, Modifying Visitation, For Mental
25 Health Evaluation, For Order To Show Cause And To Hold Bradley In Contempt,
26
27

1 To Reduce Child Support Arrears To Judgment, To Reduce Temporary Support To
2 Judgment, For An Award Of Attorney's Fees And Costs, And Related Relief.
3

4 DATED this 9th day of March, 2021.

5 **ROBERTS STOFFEL FAMILY LAW GROUP**

6
7 By: Amanda M. Roberts
8 Amanda M. Roberts, Esq.
9 State Bar of Nevada No. 9294
10 4411 South Pecos Road
11 Las Vegas, Nevada 89121
12 PH: (702) 474-7007
13 FAX: (702) 474-7477
14 EMAIL: efile@lvfamilylaw.com
15 Attorneys for Plaintiff, Emily Bellisario
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1 Defendant to continue to use SCRAM; and modified Bradley's visitation to
2 unsupervised on Saturdays from noon until 4:00 p.m. Judge Pomrenze stated, "I
3 would like to create incentives for you [Bradley] to stay sober and for you not to
4 lose your temper, and be there for these kids . . . If I can't trust the supervisors, why
5 have supervisors? I do want to lift supervision and have some daytime visitation
6 between the kids and their Dad." (11:21:24)
7
8

9 3. This case involves an extensive amount of domestic violence as
10 outlined in the Motion.

11 4. On or about July 26, 2020, Bradley repeatedly called Emily around
12 midnight. When Emily did not answer his calls, Bradley started sending her text
13 messages the first one coming in at approximately 11:53 p.m. which stated, "Gonna
14 murder You slut . . . I'm going to kill you before the 395 th slut bag[.]" This is not
15 the first time that Bradley has threatened to kill Emily, and she believes that if
16 given the opportunity he has the ability to engage in this type of violence.
17
18

19 5. On or about November 14, 2020 and November 21, 2020, in violation
20 of the Court's Order regarding supervised visitation, Bradley has Saira McKinley
21 do the exchange with Emily and then Saira allowed Bradley to have the children
22 unsupervised. This was documented by private investigator, Hal DeBecker, who
23 had video and photographs of the incidents.
24
25
26
27
28

1 6. On or about November 24, 2020, the Court released Mr. Tilman as
2 Bradley's attorney. Since that time, Bradley has engaged in inappropriate
3 communication with Ms. Roberts. On or about November 30, 2020, Bradley
4 contacted Ms. Roberts via telephone and kept interrupting, yelling and was being
5 irate to Ms. Roberts during the telephone call to which, Ms. Roberts informed him
6 if the behavior continued, then she would disconnect the telephone call. On or
7 about December 1, 2020, Bradley again contacted Ms. Roberts via telephone and
8 was yelling during the telephone call to which, Ms. Roberts informed him if the
9 behavior continued that she would disconnect the call. In response, Bradley yelled
10 into the receiver, "F*CK YOU AMANDA" and then slammed down the receiver.
11 Additionally, Bradley continually refers to Ms. Roberts as "MASS ROBERTS" or
12 "HEY FAT "F*CK" and requesting responses to emails "after her morning pie."
13

14 7. On or about January 2, 2021, Bradley returned the children to Emily's
15 residence at approximately 4:30 p.m., which is thirty (30) minutes after the end of
16 Court Ordered visitation. Bradley calls the children back to his vehicle and when
17 they do not return, Bradley picks up their juice boxes and food, leftover from
18 McDonald's, and throws them at Emily's house.
19

20 8. On or about January 19, 2021, Brayden was overheard by his tutor
21 telling another child that he was going to "shoot his Mom in the head." He also
22 was heard saying, "I hate my grandparents and hope they die." On January 20,
23


1 2021, when the tutor attempted to garner Brayden's focus on schooling, he told the
2 tutor that if she tried to make him, that he would "chop you up with an axe and
3 make you die." This behavior is extremely concerning and Bradley's continual
4 attempts to interfere with Brayden's therapy by filing repeated lawsuits against his
5 therapists are disheartening because Brayden clearly needs help!

7
8 9. On or about January 23, 2021, Bradley was arrested after visitation for
9 an outstanding warrant related to the criminal charges. On or about February 4,
10 2021, it appears that Bradley was released from the Clark County Detention Center
11 ("CCDC"). On that date, Bradley again began contacting Emily's Counsel making
12 inappropriate comments and demands.

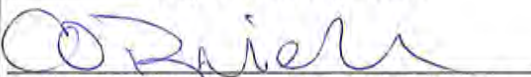
14 10. It is not safe for the Parties' children to be unsupervised in Bradley's
15 care. Therefore, Good cause exists for Emily's request for an expedited hearing to
16 be granted herein, on an Order Shortening Time.

18 11. Good cause exists for Emily's request for an expedited hearing to be
19 granted herein, on an Order Shortening Time.

20 **FURTHER AFFIANT SAYETH NAUGHT.**

21
22 
Amanda M. Roberts, Esq.

23 Subscribed and Sworn to before me this
24 9 day of March, 2021.

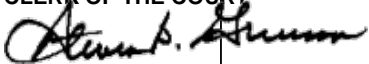
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26 Notary Public in and for said County
27 And State



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Bradley Bellisario
Email: Bradb@bellisariolaw.com
Defendant in *proper person*

Amanda M. Roth
Employee of Roberts Stoffel Family Law Group



1 **NOTC**
2 BRADLEY J. BELLISARIO
3 7100 Grand Montecito Pkwy, #2054
4 Las Vegas, NV 89149
5 T: (702) 936-4800
6 F: (702) 936-4801
7 E: BradB@BellisarioLaw.com
8 *Defendant Pro Se*

9 DISTRICT COURT
10
11 CLARK COUNTY, NEVADA

12 EMILY BELLISARIO,
13
14 Plaintiff,

Case No.: D-20-605263-D
Dept No.: P

15 vs.

16 BRADLEY BELLISARIO,
17
18 Defendant

**NOTICE OF DEFENDANT'S INTENT TO
SEEK POST-ORDER RELIEF**

19 COMES NOW the Defendant, Bradley Bellisario, *pro se*, and hereby provides notice that
20 the Defendant intends to seek relief from the Decision and Order by Judge Linda Bell on March 9,
21 2021 regarding Defendant's Motion to Disqualify Judge Mary Perry.

22 Judge Bell heard arguments from the parties on March 4, 2021 at 10:30 AM. Judge Bell
23 filed the Decision and Order on March 9, 2021. Plaintiff's Counsel, Amanda Roberts, then
24 immediately served the Decision and Order and refiled her Motion and Ex Parte Motion for Order
25 Shortening time, which Defendant has already demonstrated to be built on a premise of lies.

26 Pursuant to EDCR 2.24, Defendant is seeking relief through a motion for
27 rehearing/reconsideration. Pursuant to EDCR 2.24, Defendant has fourteen (14) days to file for
28 said relief. Counsel for Plaintiff, Amanda Roberts, is attempting to push the hearing regarding her
Motion through to Judge Perry, her close personal friend, while depriving Defendant the due

NOTICE OF DEFENDANT'S INTENT TO SEEK POST-ORDER RELIEF - 1

1 process of law required by EDCR 2.24. If this matter is set prior to allowing Defendant to file a
2 motion for rehearing regarding Judge Bell's flawed decision, Defendant will be forced to take
3 further action to appeal and stay the matter, the hearing will be taken off calendar, and the parties
4 will be forced to reset the hearing once again once the matter is decided.
5

6 As there is NO PLAUSIBLE REASON FOR AN ORDER SHORTENING TIME, and
7 Defendant has not yet had to opportunity to filed for EDCR 2.24 relief, this matter should not be
8 scheduled until after Defendant is afforded his due process right to EDCR 2.24 relief.
9

10
11 DATED this 9th day of March 2021.

12 BY: /s/ Bradley Bellisario
13 Bradley Bellisario
14 *Plaintiff Pro Se*
15 7100 Grand Montecito Pkwy, #2054
16 Las Vegas, NV 89149
17 T: 309.397.6734
18 E: bradb@bellisariolaw.com
19
20
21
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NOTICE OF DEFENDANT'S INTENT TO SEEK POST-ORDER RELIEF - 2

1
2 **DECLARATION OF DEFENDANT BRADLEY BELLISARIO**

3 I, Bradley Bellisario, declare and state as follows:

- 4 1. I am the Defendant in the above-entitled action, and I am over the age of eighteen (18);
5 2. I have read the foregoing NOTICE OF DEFENDANT'S INTENT TO SEEK POST-
6 ORDER RELIEF, I have personal knowledge of the contents, and know the contents to
7 be true and correct; and
8
9 3. This Notice is made in good faith and not for purposes of delay.

10 I declare under penalty of perjury that the foregoing is true and correct.

11 Executed this 9th day of March 2021.

12
13 Bradley Bellisario
Bradley Bellisario, *Defendant*

14 ///

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28 NOTICE OF DEFENDANT'S INTENT TO SEEK POST-ORDER RELIEF - 3

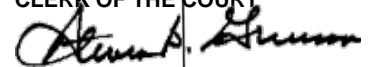
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CERTIFICATE OF SERVICE

I hereby certify that I am the Defendant in the above-entitled matter, and on the 3rd day of December 2020, I served by and through Wiz-Net electronic service, pursuant to Clark County District Court Administrative Order 14-2 for service of documents identified in Rule 9 of the N.E.F.C.R., the foregoing NOTICE OF DEFENDANT’S INTENT TO SEEK POST-ORDER RELIEF, to the following:

Amanda Roberts
ROBERTS STOFFEL FAMILY LAW GROUP
4411 S. Pecos Road
Las Vegas, NV 89121
Email: efile@lvfamilylaw.com
Attorney for Plaintiff, Emily Bellisario

/s/ Bradley Bellisario
Bradley Bellisario, *Defendant Pro Se*



1 **MRCN**
2 BRADLEY J. BELLISARIO
3 Nevada Bar No. 13452
4 7100 Grand Montecito Pkwy, #2054
5 Las Vegas, NV 89149
6 T: (702) 936-4800
7 F: (702) 936-4801
8 E: BradB@BellisarioLaw.com
9 *Plaintiff Pro Se*

7 **DISTRICT COURT**
8 **CLARK COUNTY, NEVADA**

9 EMILY BELLISARIO,
10
11 Plaintiff,

Case No.: D-20-605263-D
Dept No.: P

12 vs.

13 BRADLEY BELLISARIO,
14 Defendant

**DEFENDANT'S MOTION FOR
RECONSIDERATION REGARDING
DEFENDATN'S MOTION TO
DISQUALIFY JUDGE MARY PERRY**

15 NOTICE! YOU ARE REQUIRED TO FILE A WRITTEN RESPONSE TO THIS MOTION
16 WITH THE CLERK OF THE COURT AND TO PROVIDE THE UNDERSIGNED WITH A
17 COPY OF YOUR RESPONSE WITHIN FOURTEEN (14) DAYS OF YOUR RECEIPT OF
18 THIS MOTION. FAILURE TO FILE A WRITTEN RESPONSE WITH THE CLERK OF THE
19 COURT WITHIN FOURTEEN (14) DAYS OF YOUR RECEIPT OF THIS MOTION MAY
20 RESULT IN THE REQUESTED RELIEF BEING GRANTED BY THE COURT WITHOUT
21 HEARING PRIOR TO THE SCHEDULED HEARING.

22 Defendant, Bradley Bellisario, *pro se*, moves this Honorable Court for the following relief:

- 23 1. For reconsideration of Judge Linda Bell's Decision and Order Denying Defendant's
24 Motion to Disqualify Plaintiff's unethical counsel, Amanda Roberts', close personal
25 friend, Judge Mary Perry;
- 26 2. For an Order Disqualifying Judge Mary Perry; and
- 27 3. For such other and further relief as the Court deems just and equitable.

28 DEFENDANT'S MOTION FOR RECONSIDERATION REGARDING DEFENDATN'S MOTION TO
DISQUALIFY JUDGE MARY PERRY - 1

1 This Motion is made and based upon all the papers and pleadings on file herein and the
2 affidavit included herewith and is made in good faith and not to delay justice.

3
4 DATED this 9TH day of March 2021.

5 /s/ Bradley Bellisario

6 Bradley Bellisario
7 7100 Grand Montecito Pkwy, #2054
8 Las Vegas, NV 89149
9 T: 702.936.4800
F: 702.936.4801
E: bradb@bellisariolaw.com
10 Defendant Pro Se

11
12 **POINTS AND AUTHORITIES**

13
14 **I.**
STATEMENT OF FACTS

15 On January 4, 2021 Judge Mary Perry was assigned to highly contested divorce case D-
16 20-605263-D (Bellisario vs. Bellisario). On January 11, 2021 Plaintiff filed an untimely
17 Peremptory challenge, knowing that motion relief would be sought by Defendant, and the matter
18 would be brought back to Department P. Defendant filed a Motion to Strike Plaintiff's untimely
19 peremptory challenged, and Judge Harter Granted Defendant's Motion and assigned the case back
20 to Department P.
21

22 On or around January 21, 2021 Plaintiff, and Plaintiff's Counsel, Amanda Roberts
23 conspired with the Clark County District Attorney's Office to obtain an arrest warrant based upon
24 false police reports filed by Plaintiff, Emily Bellisario. On January 23, 2021 Defendant was
25 arrested for alleged violation of an Extended Order of Protection (Case No. T-19-200404-T). On
26 January 25, 2021 the Parties had their first hearing in front of newly assigned Judge, and close
27 OF DEFENDANT'S MOTION FOR RECONSIDERATION REGARDING DEFENDATN'S MOTION TO
28 DISQUALIFY JUDGE MARY PERRY - 2

1 personal friend of Amanda Roberts, Judge Mary Perry. Judge Perry was informed prior to the
2 hearing that Defendant was wrongfully arrested and incarcerated, however, Judge Perry decided
3 to initiate and permit ex parte arguments by Plaintiff's unethical Counsel and one of Judge Perry's
4 "favorite people" who she finds "so special," Amanda Roberts.
5

6 During the Hearing Judge Perry gave legal advice to Amanda Roberts including
7 instructing Amanda Roberts to file a Motion for Order Shortening Time regarding Plaintiff's
8 forthcoming Motion to Modify Custody and for Extension of TPO claiming that "we can get this
9 done real quick." Once again Judge Perry stated, "we can get this done real quick." Implying
10 that she is already biased toward Plaintiff, and her close personal friend, and counsel for Plaintiff,
11 Amanda Roberts, and that Judge Perry had already predetermined the outcome for this matter
12 going forward without any due process allowed to Defendant, and without allowing Defendant to
13 present any evidence.
14

15 Judge Perry then went on to make further statements of bias and demonstrating her clear
16 alignment with her close personal friend, Amanda Roberts, implying that Defendant was drunk
17 at the time of arrest on January 23, 2021 stating that "he definitely needs to dry out first, maybe
18 they'll hold him a little bit longer." However, at no point during the hearing is alcohol mentioned
19 at all. Further, Judge Perry advocacy for, and pre-filing approval of, Plaintiff's Motion for Order
20 Shortening Time demonstrates clear bias to deprive Defendant of due process and any reasonable
21 time to respond to Plaintiff's unsubstantiated and untruthful allegations regarding January 23,
22 2021.
23

24 Immediately after Defendant was informed of Judge Perry and Plaintiff's Counsel's close
25 personal relationship, as well as the inappropriate actions in violation of numerous Nevada Codes
26 of Judicial Conduct already made by Judge Perry, Defendant filed a Motion to Disqualify Judge
27 OF DEFENDANT'S MOTION FOR RECONSIDERATION REGARDING DEFENDATN'S MOTION TO
28 DISQUALIFY JUDGE MARY PERRY - 3

1 Perry on February 11, 2021. Plaintiff's Counsel, and close personal friend of Judge Mary Perry,
2 then filed an Ex Parte Motion for Order Shortening Time with no factual basis that could possibly
3 support sufficient cause for an Order Shortening Time. However, the Motion was Granted by
4 Judge Bell and the Motion set for hearing on an Order Shortening Time, depriving Defendant yet
5 again of due process and a reasonable time to respond to Plaintiff's untruthful allegations and
6 filings.
7

8 On March 4, 2021 this matter came on for hearing with Judge Bell at 10:30 am. Judge
9 Bell initiated arguments from both parties. Counsel for Plaintiff represented that Plaintiff, Emily
10 Bellisario, was present, however, Defendant has since discovered that Plaintiff was not present
11 during the hearing as she was preparing for testimony before Grand Jury at the time and was never
12 seen nor heard from during the family court hearing.
13

14 During the hearing, Counsel for Plaintiff, Amanda Roberts, demonstrated her unethical
15 practices by intentionally misrepresenting material facts, because the facts she previously claimed
16 at hearing on January 25, 2021 would demonstrate that Defendant was wrongfully arrested on
17 January 23, 2021. During the hearing on January 23, 2021 Amanda Roberts represented to Judge
18 Mary Perry that Defendant was arrested for Domestic Violence allegations from June 11, 2021.
19 However, as Defendant has previously shown, Defendant was not arrested for Domestic Violence
20 allegations, rather allegations of violation of TPO on June 11, 2020, however the TPO (case no.
21 T-19-200-404-T) had previously been dissolved by stipulation of the parties. But, now at hearing
22 on March 4, 2021, Amanda Roberts alleged that Defendant was arrested on January 25, 2021 for
23 Domestic Violence allegations from July 26, 2020. However, as previously provided the Criminal
24 Complaint is from the alleged TPO violation on June 11, 2020 and the charge was subsequently
25 dropped as the court acknowledged Defendant was wrongfully arrested.
26

27 OF DEFENDANT'S MOTION FOR RECONSIDERATION REGARDING DEFENDATN'S MOTION TO
28 DISQUALIFY JUDGE MARY PERRY - 4

1 After discussion by both parties, Amanda Roberts requested an immediate decision by
2 Judge Bell, however, Judge Bell advised that she would make a written ruling on the matter by
3 Monday, March 8, 2021. On March 9, 2021 Judge Bell filed her Decision and Order. However,
4 Judge Bell's Decision and Order included multiple mistakes of fact, and failed to address multiple
5 facts relevant to the determination of this matter.
6

7 Most notably Judge Bell's Order claims that peremptory challenges have been filed by
8 both parties. This is inaccurate, Plaintiff is the only party to file a peremptory challenge. Judge
9 Bell's Order claims that Defendant filed a Motion to Dissolve TPO (T-20-206639-T), however
10 Defendant filed a Motion to Modify, not a Motion to Dissolve TPO. Judge Bell's Order contains
11 the same misrepresentation of fact perpetuated by Plaintiff's Counsel regarding Defendant's
12 arrest on January 23, 2021. Judge Bell's Order states that "Mr. Bellisario was arrested for
13 violating the TPO on January 23 while he was dropping off the children with Ms. Bellisario."
14 Judge Bell's Decision and Order only references the TPO issued in July 2020 (T-20-206639-T)
15 and infers that Defendant was arrested for violation of said TPO. However, as Defendant has
16 described numerous times with ample evidence, Defendant was arrested for alleged violation of
17 TPO (T-19-200404-T) which occurred on June 11, 2020. However, the Parties had previously
18 stipulated to dissolve the TPO on January 7, 2020 and multiple Orders demonstrate that fact.
19
20

21 Judge Bell stated that it did appear that the parties' intention was to dissolve the TPO,
22 however, her judgment may have been altered by the subsequent Order which went to her office
23 regarding Plaintiff's allegations in Clark County District Court case no. C-21-354165-1. Judge
24 Bell after hearing Defendant's Motion to Disqualify immediately had in front of her a Grand
25 Jury Indictment and a Summons which was emailed to Defendant two hours later on March 4,
26 2021.
27

28 OF DEFENDANT'S MOTION FOR RECONSIDERATION REGARDING DEFENDANT'S MOTION TO
DISQUALIFY JUDGE MARY PERRY - 5

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II.
LEGAL ARGUMENT

“A party seeking reconsideration of a ruling of the court...must file a motion for such relief within 14 days after service of written notice of the order or judgment unless the time is shortened or enlarged by order. A motion for rehearing or reconsideration must be served, noticed, filed and heard as is any other motion. A motion for reconsideration does not toll the period for filing a notice of appeal from final order or judgment.” EDCR 2.24(b).

A motion for rehearing should direct attention to some controlling matter to which the court has overlooked or misapprehended. *In re Ross*, 99 Nev. 657, 659, 668 P.2d 1089, 1091 (1983) (Citations omitted). Rehearings are not granted as a matter of right and are not allowed for the purpose to reargue, unless there is a reasonable probability the court may have arrived at an erroneous conclusion. *Geller v. McCown*, 178 P.2d 380 (Nev. 1947) (Citations omitted).

I. The District Court Intentionally Ignored Pertinent Facts Advantageous to Defendant’s Motion to Disqualify.

Judge Bell’s Decision and Order clearly fails to include a comprehensive finding of fact as to relevant facts in an effort to support her failure to disqualify Amanda Roberts’ close personal friend, Judge Mary Perry.

Judge Bell’s Decision and Order claims that “Disqualification is not warranted because Mr. Bellisario has not established sufficient factual and legal grounds for disqualification.” Judge Bell made attempts to support her ruling while only discussing to points; (1) she claims that Defendant’s argument regarding Facebook posts of Judge Perry does not in itself indicate the Judge Perry is somehow biased; and (2) she claims that Defendant’s argument regarding Judge

OF DEFENDANT’S MOTION FOR RECONSIDERATION REGARDING DEFENDATN’S MOTION TO DISQUALIFY JUDGE MARY PERRY - 6

1 Perry's suggestion and then approval of an Order Shortening Time does not support
2 disqualification.
3

4 However, Judge Bell completely disregards numerous other factual allegations and
5 arguments presented as to why disqualification is proper. Specifically, Judge Bell failed to
6 address the following factual allegations regarding Judge Mary Perry's questionable impartiality
7 raised by Defendant:
8

- 9 1. Judge Perry's decision to initiate and allow ex-parte arguments despite knowing of
10 Defendant's wrongful arrest and incarceration, thereby violating the Nevada Code of
Judicial Conduct;
- 11 2. Judge Perry's advice to file a Motion for Order Shortening Time so that "we can get
12 this done real quick;"
- 13 3. Judge Perry's admittance that she would approve the Order Shortening Time, without
having yet received the Motion;
- 14 4. Judge Perry's legal advice given to Plaintiff's Counsel, Amanda Roberts;
- 15 5. Judge Perry's prejudicial statement regarding Defendant that "he definitely needs to
dry out first, maybe they'll hold him a bit longer;"
- 16 6. Judge Perry's legal conclusion that Defendant violated the TPO, despite any
evidentiary support;
- 17 7. Judge Perry's judicial campaign and substantial involvement of Amanda Roberts and
Jason Stoffel in Judge Perry's judicial campaign;
- 18 8. Judge Perry's investiture speech given by close personal friend, Jason Stoffel,
discussing the closeness of the two and their integral involvement during their judicial
19 campaigns;
- 20 9. Judge Perry's failure to continue the hearing after receiving notice and proof that
Plaintiff's Motion for Order Shortening Time was based upon intentional
21 misrepresentations of material fact;
- 22 10. Judge Perry's relationship with Donna Wilburn, and her interview with Donna
Wilburn, who is involved with in this litigation; and
- 23 11. Judge Perry's campaign promises made during her interview with Donna Wilburn,
and her refusal to meet those promises when it would be cause a disadvantage to her
24 close personal friend, Amanda Roberts and Plaintiff.

25 Judge Bell in her own Decision and Order states that "the test for whether a judge's
26 impartiality might be reasonably questioned is objective and courts must decide whether a
27

28 OF DEFENDANT'S MOTION FOR RECONSIDERATION REGARDING DEFENDATN'S MOTION TO
DISQUALIFY JUDGE MARY PERRY - 7

1 reasonable person, **KNOWING ALL THE FACTS**, would harbor reasonable doubts about a
2 judge's impartiality." (Emphasis Added).

3
4 In this matter, Judge Bell intentionally failed to make findings of fact that would be
5 anything but advantageous to Plaintiff and her Counsel, Amanda Roberts. In fact, Judge Bell's
6 presentation of facts seems to once again misrepresent the cause of Defendant's arrest on January
7 23, 2021. This despite Judge Bell's seeming understanding of the parties' agreement to dissolve
8 the TPO in January of 2020, and the nature of Defendant's false arrest during the hearing. But
9 what changed? Judge Bell was berated by irrelevant information by Plaintiff's Counsel, Amanda
10 Roberts, and was provided a Summons for issuance after the hearing stating that a grand jury had
11 approved an indictment of Defendant in the aforementioned Clark County District Court Case.
12 This is interesting however, considering that Plaintiff admitted during hearing of facts that would
13 prevent the Clark County District Attorney's office from seeking prosecution of felony
14 aggravated stalking.
15

16
17
18 The Decision and Order filed March 9, 2021 contains an intentionally deceiving and
19 incomplete set of factual findings intended to support an incomplete consideration of the matter.
20 As such, Defendant requests reconsideration of this matter and an Order disqualifying Judge Mary
21 Perry as a reasonable person, **KNOWING ALL THE FACTS**, would harbor reasonable doubts
22 as to Judge Mary Perry's impartiality.
23

24 **II. The District Court Failed to Apply and Follow Established Relevant Authority**
25 **in Amado v. Eighth Judicial Dist. Court (In re Parental Rights as to A.M.) and**
26 **Nevada Standing Committee on Judicial Ethics and Election Practices Opinions**

27
28 OF DEFENDANT'S MOTION FOR RECONSIDERATION REGARDING DEFENDATN'S MOTION TO
DISQUALIFY JUDGE MARY PERRY - 8

1 During hearing and in Reply to Plaintiff's Opposition, Defendant raised facts and
2 references to law regarding established authority regarding the disqualification of District Court
3 judges. Specifically, Defendant referenced Nevada Standing Committee on Judicial Ethics and
4 Election Practices Opinions relevant to the factual allegations in this matter including, but not
5 limited to; JE16-002 (parallels to the opinion's discussion of "best attorney" program and Judge
6 Perry's Facebook Comments) and JE02-001 (opinion regarding an attorney's participation in the
7 judge's election campaign).
8
9

10 Additionally, and most relevant, Defendant orally, and on the written record, referenced
11 the Court of Appeals of the State of Nevada decision in *Amado v. Eighth Judicial Dist. Court (In*
12 *re Parental Rights as to A.M.)*. Defendant would like to reiterate his reference to this matter, and
13 Judge Bell's failure to acknowledge this binding precedent, as the case involves the Court of
14 Appeals of the State of Nevada overruling Judge Bell in a decision from December of 2020.
15
16

17 However, Judge Bell makes no reference to and/or fails to apply the standards of the
18 *Amado* matter and attempts to circumvent a ruling that includes a **KNOWING OF ALL FACTS**
19 analysis. In the *Amado* Case, Giano Amado alleged that the District Court's comments and
20 actions, considered together, show that the court harbored a bias against him. The Court found
21 that *Amado's* allegations of "comments and actions may create a reasonable doubt as to the
22 District Court's impartiality." *Amado v. Eighth Judicial Dist. Court (In re Parental Rights as to*
23 *A.M.)*, No. 81098-COA, at *2 (Nev. App. Nov. 25, 2020).
24
25

26 The *Amado* matter involved a Petition of Writ of Mandamus by Giano Amado regarding
27 the Judge Bell's refusal to disqualify Judge Harter. The Court of Appeals remanded the matter
28 OF DEFENDANT'S MOTION FOR RECONSIDERATION REGARDING DEFENDANT'S MOTION TO
DISQUALIFY JUDGE MARY PERRY - 9

1 and Ordered Judge Harter to be disqualified. The Court of Appeals found in favor of
2 disqualification because Judge Harter's comments and actions together created reasonable doubts
3 as to the court's impartiality and the Court came to legal conclusions without evidence or argument
4 from the parties.

5
6 Amado alleged that the courts actions and comments created reasonable doubts as to the
7 court's impartiality. Specifically, Amado's alleged that Judge Harter instructed Counsel for
8 opposing party to "quickly move forward with filing a petition to terminate," and made statements
9 antagonizing Amado.

10 In this matter Judge Perry exhibited nearly identical behavior. During the Hearing on
11 January 25, 2021 (in which Judge Perry violated NCJC by holding the hearing ex parte) Judge
12 Perry advised Counsel for Plaintiff, Amanda Roberts, to immediately file a Motion and Motion for
13 Order Shortening Time because she would sign it and they could "get this done quick." Further,
14 during the same hearing, Judge Perry stated it would be good for Defendant to be in jail so he
15 could "dry out." Judge Perry's statement is entirely prejudicial and not based on any evidence.
16 however, upon information and belief was based upon ex parte communications with her good
17 friend, Amanda Roberts. Given Judge Perry's nearly identical behavior to that of Judge Harter in
18 the Amado case, reconsideration should be granted and Judge Perry Should be disqualified.
19
20

21 Amado Further alleged that the court had a predetermined outcome in his case. The Court
22 of Appeals agreed stating that the Court came to legal conclusions without presentation of evidence
23 by the parties.
24

25 In this matter, Judge Mary Perry exhibited nearly identical behavior. Judge Perry stated
26 she would approve an Order Shortening Time without presentation of evidence. Additionally, the
27 Court Minutes state the Judge Perry Found that Defendant violated the TPO despite a lack of
28 OF DEFENDANT'S MOTION FOR RECONSIDERATION REGARDING DEFENDATN'S MOTION TO
DISQUALIFY JUDGE MARY PERRY - 10

1 evidence presented by the parties. Additionally, Defendant filed a motion to continue the hearing
2 which Judge Perry granted the Order Shortening Time. Defendant's motion demonstrated that
3 Judge Perry's Order was based upon not only a lack of evidence presented, but by intentionally
4 misrepresented facts by Plaintiff's Counsel. Judge Perry denied the motion to continue. As
5 additional support of Judge Perry's predetermined outcome of this matter, Judge Perry
6 intentionally misrepresents material facts in her response to Defendant's Motion to Disqualify in
7 order to fit the scheme of her predetermined outcome. Judge Perry claims Defendant is a blatant
8 liar, however, simple Court Orders provide factual support for Defendant's contentions. But that
9 doesn't fit Judge Perry and her good friend, Amanda Roberts' predetermined outcome for the case.
10 so she attempted to intentionally deceive this Honorable Court.
11

12
13 Due to Judge Perry's actions, comments, and predetermined outcome for this matter,
14 reconsideration should be granted and Judge Mary Perry should be disqualified.
15

16 **III.** **CONCLUSION**

17 From the beginning of this action Counsel for Plaintiff has engaged in unethical conduct
18 that has severely prejudiced Defendant's rights. Now, Judge Mary Perry, Amanda Roberts' close
19 personal friend, has been assigned to this matter. Judge Perry has already conducted herself in a
20 manner that would cause any reasonable person to harbor doubts of Judge Perrys' impartiality,
21 and additionally, Judge Perry's conduct in this matter demonstrates actual bias. Judge Bell's
22 Decision and Order regarding Defendant's Motion to Disqualify relies almost exclusively on the
23 allegations that Judge Perry's inappropriate Facebook posts demonstrating bias are not enough to
24 amount to actual bias. However, Judge Bell fails to take into account Judge Perry's actions in
25 this matter, combined with the other facts, which give rise to the implication of bias to the
26
27

28 OF DEFENDANT'S MOTION FOR RECONSIDERATION REGARDING DEFENDATN'S MOTION TO
DISQUALIFY JUDGE MARY PERRY - 11

1 reasonable person. Judge Bell was overruled in *Amado* regarding her failure to disqualify Judge
2 Harter for allegations of bias which are very similar to this matter. Judge Bell's decision is flawed
3 and fails to consider relevant appellate case law in which she herself was overruled. As such,
4 Defendant requests reconsideration and disqualification of Amanda Roberts' close personal
5 friend, Judge Mary Perry.
6

7
8 DATED this 9th day of March 2021.

9 /s/ Bradley Bellisario

10 Bradley Bellisario
11 7100 Grand Montecito Pkwy, #2054
12 Las Vegas, NV 89149
13 T: 702.936.4800
14 F: 702.936.4801
15 E: bradb@bellisariolaw.com
16 *Defendant Pro Se*
17
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28 OF DEFENDANT'S MOTION FOR RECONSIDERATION REGARDING DEFENDATN'S MOTION TO
DISQUALIFY JUDGE MARY PERRY - 12

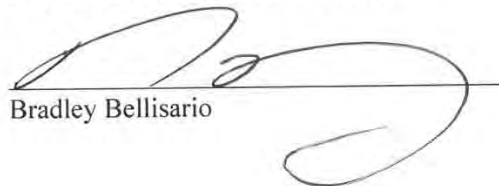
1 **DECLARATION IN SUPPORT OF DEFENDANT'S MOTION FOR**
2 **RECONSIDERATION REGARDING DEFENDATN'S MOTION TO DISQUALIFY**
3 **JUDGE MARY PERRY**

4
5 I, BRADLEY BELLISARIO, declare under penalty of perjury:

- 6 1. I have read the foregoing motion, and the factual averments it contains are true and
7 correct to the best of my knowledge, except as to those matters based on information
8 and belief, and as to those matters, I believe them to be true. Those factual averments
9 contained in the referenced filing are incorporated here as if set forth in full.
10
11 2. This Declaration is made in good faith and not made for the purpose of delay.

12
13 I declare under penalty of perjury under the law of the State of Nevada that the foregoing is
14 true and correct.

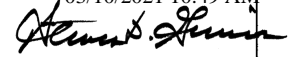
15 DATED this 9th day of March 2021.

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17 Bradley Bellisario
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Amanda Roberts, Esq.
E: efile@lvfamilylaw.com
Attorney for Plaintiff

28 OF DEFENDANT'S MOTION FOR RECONSIDERATION REGARDING DEFENDATN'S MOTION TO
DISQUALIFY JUDGE MARY PERRY - 14


CLERK OF THE COURT

ORDR

Amanda M. Roberts, Esq.
State Bar of Nevada No. 9294
ROBERTS STOFFEL FAMILY LAW GROUP
4411 S. Pecos Road
Las Vegas, Nevada 89121
PH: (702) 474-7007
FAX: (702) 474-7477
EMAIL: efile@lvfamilylaw.com
Attorneys for Plaintiff, Emily Bellisario

DISTRICT COURT
CLARK COUNTY, NEVADA

EMILY BELLISARIO,) Case No: D-20-605263-D
) Dept No: P
Plaintiff,)
v.)
) ORDER AFTER HEARING
BRADLEY BELLISARIO,)
)
Defendant.) Date of Hearing: January 25, 2021
) Time of Hearing: 9:00 a.m.
)

THIS MATTER having come before the Court on the 25th day of January,
2021, on a status check. The Plaintiff, Emily Bellisario, being present and
represented, by and through her attorney of record, Amanda M. Roberts, Esq., of

\\

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\\

\\

1 Roberts Stoffel Family Law Group, and the Defendant, Bradley Bellisario, not
2 being present or represented by Counsel.

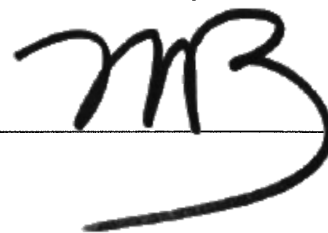
3 NOW THEREFORE,
4

5 THE COURT HEREBY ORDERS that the Motion scheduled to be heard on
6 March 1, 2021, at 10:00 a.m., shall stand.

7 THE COURT FURTHER ORDERS that Attorney Roberts is to prepare the
8 Order from today's hearing.
9

10 IT IS SO ORDERED.

Dated this 10th day of March, 2021

11
12
13


14 Submitted this 10th day of
15 March, 2021.

DE9 D26 E5E5 8D90
Mary Perry
District Court Judge

16 **ROBERTS STOFFEL FAMILY**
17 **LAW GROUP**

18
19 By: 
20 Amanda M. Roberts, Esq.
21 State of Nevada Bar No. 9294
22 4411 South Pecos Road
23 Las Vegas, Nevada 89121
24 PH: (702) 474-7007
25 FAX: (702) 474-7477
26 EMAIL: efile@lvfamilylaw.com
27 Attorney for Plaintiff
28

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Emily Bellisario, Plaintiff

CASE NO: D-20-605263-D

7 vs.

DEPT. NO. Department P

8 Bradley John Bellisario,
9 Defendant.

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Order was served via the court's electronic eFile system to all
recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 3/10/2021

15 Amanda Roberts

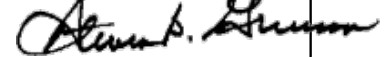
efile@lvfamilylaw.com

16 Bradley Bellisario

bradb@bellisariolaw.com

17
18 Bradley Bellisario

bradb@bellisariolaw.com



1 **NEOJ**

2 Amanda M. Roberts, Esq.
3 State Bar of Nevada No. 9294

4 **ROBERTS STOFFEL FAMILY LAW GROUP**

5 4411 S. Pecos Road
6 Las Vegas, Nevada 89121

7 PH: (702) 474-7007

FAX: (702) 474-7477

EMAIL: efile@lvfamilylaw.com

Attorneys for Plaintiff, Emily Bellisario

8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10
11 EMILY BELLISARIO,

) Case No: D-20-605263-D

) Dept No: P

12 Plaintiff,

)

13 v.

)

) **NOTICE OF ENTRY OF ORDER**

14 BRADLEY BELLISARIO,

) **AFTER JANUARY 25, 2021**

) **HEARING**

15 Defendant.

)

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1 PLEASE TAKE NOTICE an Order was duly entered on the 10th day of
2 March, 2021, a copy of which is attached hereto and fully incorporated herein by
3 reference.
4

5 DATED this 10th day of March, 2021.

6 **ROBERTS STOFFEL FAMILY LAW GROUP**

7
8 By: Amanda M. Roberts

9 Amanda M. Roberts, Esq.
10 State of Nevada Bar No. 9294
11 4411 South Pecos Road
12 Las Vegas, Nevada 89121
13 PH: (702) 474-7007
14 FAX: (702) 474-7477
15 EMAIL: efile@lvfamilylaw.com
16 Attorney for Plaintiff
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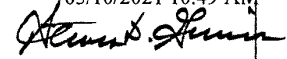
CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Roberts Stoffel Family Law Group,
and on the 10 day of March, 2021, I served by and through Wiz-Net electronic
service, pursuant to Clark County District Court Administrative Order 14-2 for
service of documents identified in Rule 9 of the N.E.F.C.R., the foregoing

NOTICE OF ENTRY OF ORDER FROM THE JANUARY 25, 2021
HEARING, to the following:

Bradley Bellisario
Email: Bradb@bellisariolaw.com
Defendant

By: 
Employee of Roberts Stoffel Family Law Group


 CLERK OF THE COURT
ORDR

Amanda M. Roberts, Esq.

State Bar of Nevada No. 9294

ROBERTS STOFFEL FAMILY LAW GROUP

4411 S. Pecos Road

Las Vegas, Nevada 89121

PH: (702) 474-7007

FAX: (702) 474-7477

EMAIL: efile@lvfamilylaw.com

Attorneys for Plaintiff, Emily Bellisario

DISTRICT COURT**CLARK COUNTY, NEVADA**

EMILY BELLISARIO,

) Case No: D-20-605263-D

) Dept No: P

Plaintiff,

v.

) **ORDER AFTER HEARING**

BRADLEY BELLISARIO,

)

)

Defendant.

) Date of Hearing: January 25, 2021

) Time of Hearing: 9:00 a.m.

)

THIS MATTER having come before the Court on the 25th day of January,

2021, on a status check. The Plaintiff, Emily Bellisario, being present and

represented, by and through her attorney of record, Amanda M. Roberts, Esq., of

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\\

\\

\\

1 Roberts Stoffel Family Law Group, and the Defendant, Bradley Bellisario, not
2 being present or represented by Counsel.

3
4 NOW THEREFORE,

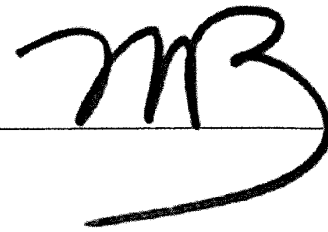
5 THE COURT HEREBY ORDERS that the Motion scheduled to be heard on
6 March 1, 2021, at 10:00 a.m., shall stand.

7
8 THE COURT FURTHER ORDERS that Attorney Roberts is to prepare the
9 Order from today's hearing.

10 IT IS SO ORDERED.

Dated this 10th day of March, 2021

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Submitted this 10th day of
March, 2021.

DE9 D26 E5E5 8D90
Mary Perry
District Court Judge

**ROBERTS STOFFEL FAMILY
LAW GROUP**

By: Amanda M. Roberts
Amanda M. Roberts, Esq.
State of Nevada Bar No. 9294
4411 South Pecos Road
Las Vegas, Nevada 89121
PH: (702) 474-7007
FAX: (702) 474-7477
EMAIL: efile@lvfamilylaw.com
Attorney for Plaintiff

1 CSERV

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA
4

5
6 Emily Bellisario, Plaintiff

CASE NO: D-20-605263-D

7 vs.

DEPT. NO. Department P

8 Bradley John Bellisario,
9 Defendant.

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Order was served via the court's electronic eFile system to all
recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 3/10/2021

15 Amanda Roberts

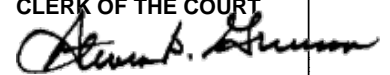
efile@lvfamilylaw.com

16 Bradley Bellisario

bradb@bellisariolaw.com

17
18 Bradley Bellisario

bradb@bellisariolaw.com



1 **EPAP**

2 Amanda M. Roberts, Esq.
3 State Bar of Nevada No. 9294

4 **ROBERTS STOFFEL FAMILY LAW GROUP**

5 4411 S. Pecos Road
6 Las Vegas, Nevada 89121

7 PH: (702) 474-7007

8 FAX: (702) 474-7477

9 EMAIL: efile@lvfamilylaw.com

10 Attorneys for Plaintiff, Emily Bellisario

11 **DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 EMILY BELLISARIO,

) Case No: D-20-605263-D

) Dept No: P

14 Plaintiff,

)

15 v.

) **EX PARTE APPLICATION FOR**
) **ORDER SHORTENING TIME**

16 BRADLEY BELLISARIO,

)

17 Defendant.

) **TO BE HEARD BY JUDGE BELL**

)

18 COMES NOW the Plaintiff, Emily Bellisario, by and through her attorney of
19 record, Amanda M. Roberts, Esq., of Roberts Stoffel Family Law Group, and
20 hereby moves this Court for an Order Shortening Time on Defendant's Motion for
21 Reconsideration Regarding Defendant's Motion to Disqualify Judge Mary Perry.

22 \ \ \

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24 \ \ \

1 This Application is based upon the Affidavit of Amanda M. Roberts, Esq.
2 Moreover, this Application is made and based upon all the papers, pleadings and
3 records on file herein, as well as the Points and Authorities attached hereto.
4

5 DATED this 11th day of March, 2021.

6 **ROBERTS STOFFEL FAMILY LAW GROUP**

7
8 By: Amanda M. Roberts
9 Amanda M. Roberts, Esq.
10 State Bar of Nevada No. 9294
11 4411 South Pecos Road
12 Las Vegas, Nevada 89106
13 PH: (702) 474-7007
14 FAX: (702) 474-7477
15 EMAIL: efile@lvfamilylaw.com
16 Attorneys for Plaintiff, Emily Bellisario

17 **POINTS AND AUTHORITIES**

18 **I.**

19 **Points and Authority**

20 *EDCR* § 5.514 states, the request for an Order Shortening Time may be
21 sought through *ex parte* means. The request must be accompanied by an Affidavit
22 of Counsel explaining the need for the request for an Order Shortening Time.

23 The Parties to this action, the Plaintiff, Emily Bellisario ("Emily") and the
24 Defendant, Bradley Bellisario ("Bradley"), were married on August 16, 2014. The
25 Parties have three (3) minor children, to wit: Brayden Bellisario ("Brayden"), born
26 January 15, 2015; Blake Bellisario ("Blake"), born November 20, 2016; and

1 Brooklyn Bellisario (“Brooklyn”), February 1, 2018. Brayden is six (6) years old;
2 Blake is four (4) years old; and Brooklyn is three (3) years old.

3
4 This Court just issued its Decision and Order on March 9, 2021, outlining
5 with specificity the basis for its findings and decision in response to Bradley’s
6 Motion to Disqualify Judge Mary Perry. Specifically, Bradley alleges that the
7 Court improperly applied facts and failed to establish all facts before issuing a
8 ruling. Much of Bradley’s argument is based upon an unpublished Nevada Court of
9 Appeals case, *In re: Parental Rights as to A.M. (Amado v. Eighth Judicial District*
10 *Court, et. al.)*, No 81098, November 25, 2020). However, *NRAP* § 36 (c)(3) states
11 in relevant part, “unpublished dispositions issued by the Court of Appeals may not
12 be cited in any Nevada court for any purpose.” Therefore, arguments by Bradley
13 wherein he relied upon, and demanded this Court rely upon, the decision cited
14 should be disregarded as improper and lacking authority.

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16
17
18 Bradley does properly indicate that Judge Bell’s Decision states that each
19 Party filed a Peremptory Challenge (“PC”) which is an error of fact. Emily filed a
20 PC and Bradley filed a Motion to Strike the PC. Therefore, Bradley is correct in his
21 assertion that each Party did not file a PC. Bradley continues to make claims
22 regarding the Temporary Protection Orders (“TPO”) and Extended Orders of
23 Protection (“EOP”) which are simply not based upon facts. Moreover, these issues
24 have nothing to do with claims to disqualify Judge Perry and can be raised in the
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1 divorce action when this matter finally moves forward with a District Court Judge
2 in the Family Division. Furthermore, Bradley can raise this alleged factual issues
3 in his criminal case. However, the issues with the TPO and EOP do not rise to the
4 level that would substantiate a claim to disqualify Judge Perry.
5

6 There are no new facts raised in Bradley's Motion for Reconsideration that
7 would warrant the Court issuing a different Decision in this matter. Moreover, by
8 filing the Motion for Reconsideration, it is simply causing additional delays. This
9 case involves a high conflict divorce between Emily and Bradley. Bradley is using
10 this course of filing to disqualify the Judge, and filing multiple actions and
11 Motions, as an attempt to delay this divorce matter from moving forward in normal
12 course. This case needs to be heard, but until Bradley's Motion for Reconsideration
13 to Disqualify Judge Mary Perry is heard or ruled upon, Emily's Motion cannot be
14 heard by Judge Perry and relief cannot be granted.
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18 Good cause exists for Emily's request for an expedited hearing to be granted
19 herein, on an Order Shortening Time. There is a hearing set before Judge Perry on
20 April 15, 2021, at 11:00 a.m. This matter needs a District Court Judge assigned
21 who can hear pending matters without additional delay.
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III.
Conclusion

Based upon the foregoing, Emily respectfully requests this Court grant an Order Shortening Time on Defendant's Motion for Reconsideration Regarding Defendant's Motion to Disqualify Judge Mary Perry.

DATED this 11th day of March, 2021.

ROBERTS STOFFEL FAMILY LAW GROUP

By: Amanda M. Roberts
Amanda M. Roberts, Esq.
State Bar of Nevada No. 9294
4411 South Pecos Road
Las Vegas, Nevada 89121
PH: (702) 474-7007
FAX: (702) 474-7477
EMAIL: efile@lvfamilylaw.com
Attorneys for Plaintiff, Emily Bellisario

1 **AFFIDAVIT OF AMANDA M. ROBERTS, ESQ.**

2 STATE OF NEVADA)
3 ss
4 County of Clark)

5 I, Amanda M. Roberts, Esq., am the attorney in the above referenced matter
6 and I can attest to the below reference facts as being true and correct to the best my
7 knowledge as represented by my client.
8

9 1. The Parties to this action, the Plaintiff, Emily Bellisario (“Emily”) and
10 the Defendant, Bradley Bellisario (“Bradley”), were married on August 16, 2014.
11 The Parties have three (3) minor children, to wit: Brayden Bellisario (“Brayden”),
12 born January 15, 2015; Blake Bellisario (“Blake”), born November 20, 2016; and
13 Brooklyn Bellisario (“Brooklyn”), February 1, 2018. Brayden is six (6) years old;
14 Blake is four (4) years old; and Brooklyn is three (3) years old.
15

16 2. This Court just issued its Decision and Order on March 9, 2021,
17 outlining with specificity the basis for its findings and decision in response to
18 Bradley’s Motion to Disqualify Judge Mary Perry. Specifically, Bradley alleges
19 that the Court improperly applied facts and failed to establish all facts before
20 issuing a ruling. Much of Bradley’s argument is based upon an unpublished
21 Nevada Court of Appeals case, *In re: Parental Rights as to A.M. (Amado v. Eighth*
22 *Judicial District Court, et. al.)*, No 81098, November 25, 2020). However, *NRAP* §
23 36 (c)(3) states in relevant part, “unpublished dispositions issued by the Court of
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1 Appeals may not be cited in any Nevada court for any purpose.” Therefore,
2 arguments by Bradley wherein he relied upon, and demanded this Court rely upon,
3 the decision cited should be disregarded as improper and lacking authority.
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5 3. Bradley does properly indicate that Judge Bell’s Decision states that
6 each Party filed a Peremptory Challenge (“PC”) which is an error of fact. Emily
7 filed a PC and Bradley filed a Motion to Strike the PC. Therefore, Bradley is
8 correct in his assertion that each Party did not file a PC. Bradley continues to make
9 claims regarding the Temporary Protection Orders (“TPO”) and Extended Orders of
10 Protection (“EOP”) which are simply not based upon facts. Moreover, these issues
11 have nothing to do with claims to disqualify Judge Perry and can be raised in the
12 divorce action when this matter finally moves forward with a District Court Judge
13 in the Family Division. Furthermore, Bradley can raise this alleged factual issues
14 in his criminal case. However, the issues with the TPO and EOP do not rise to the
15 level that would substantiate a claim to disqualify Judge Perry.
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19 4. There are no new facts raised in Bradley’s Motion for Reconsideration
20 that would warrant the Court issuing a different Decision in this matter. Moreover,
21 by filing the Motion for Reconsideration, it is simply causing additional delays.
22 This case involves a high conflict divorce between Emily and Bradley. Bradley is
23 using this course of filing to disqualify the Judge, and filing multiple actions and
24 Motions, as an attempt to delay this divorce matter from moving forward in normal
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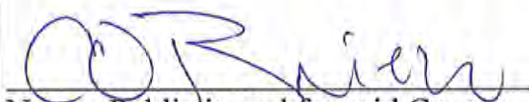
1 course. This case needs to be heard, but until Bradley's Motion for Reconsideration
2 to Disqualify Judge Mary Perry is heard or ruled upon, Emily's Motion cannot be
3 heard by Judge Perry and relief cannot be granted.
4

5 5. Good cause exists for Emily's request for an expedited hearing to be
6 granted herein, on an Order Shortening Time. There is a hearing set before Judge
7 Perry on April 15, 2021, at 11:00 a.m. This matter needs a District Court Judge
8 assigned who can hear pending matters without additional delay.
9

10 **FURTHER AFFIANT SAYETH NAUGHT.**
11

12 
13 Amanda M. Roberts, Esq.
14

15 Subscribed and Sworn to before me this
16 11 day of March, 2021.

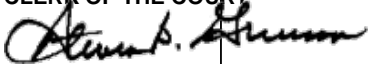
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18 Notary Public in and for said County
19 And State
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Bradley Bellisario
Email: Bradb@bellisariolaw.com
Defendant in *proper person*

Page 9 of 9



1 **NOTC**
2 BRADLEY J. BELLISARIO
3 7100 Grand Montecito Pkwy, #2054
4 Las Vegas, NV 89149
5 T: (702) 936-4800
6 F: (702) 936-4801
7 E: BradB@BellisarioLaw.com
8 *Defendant Pro Se*

9 DISTRICT COURT
10 CLARK COUNTY, NEVADA

11 EMILY BELLISARIO,
12 Plaintiff,

Case No.: D-20-605263-D
Dept No.: P

13 vs.

14 BRADLEY BELLISARIO,
15 Defendant

**NOTICE OF DEFENDANT'S
OBJECTION TO PLAINTIFF'S EX
PARTE APPLICATION FOR ORDER
SHORTENING TIME DATED 3-11-21**

16 COMES NOW the Defendant, Bradley Bellisario, *pro se*, and hereby provides Defendant's
17 NOTICE OF DEFENDANT'S OBJECTION TO PLAINTIFF'S EX PARTE APPLICATION
18 FOR ORDER SHORTENING TIME.

19 Ms. Roberts seems to be incapable of filing any documents without filling those documents
20 with numerous misrepresentations of material fact in an attempt to deceive and commit fraud upon
21 this Honorable Court.

22 Ms. Roberts continues to "gaslight" this court and provide the court a legal fiction
23 regarding the TPO and EPO cases in this matter. Simple documents prove Defendant's factually
24 based statements and easily derived legal analysis of the facts of the matter. Ms. Roberts instead
25 makes flimsy arguments with no factual basis, and arguments that simply put go against all
26 evidence. Why would Ms. Roberts continue to violate ethical rules and knowingly lie to this
27

28 NOTICE OF DEFENDANT'S OBJECTION TO PLAINTIFF'S EX PARTE APPLICATION FOR ORDER
SHORTENING TIME DATED 3-11-21 - 1

1 Honorable Court? Simple, she has nothing else to rely on at this point, and knows that she's stuck
2 in a lie.

3 Defendant's Motion for Reconsideration provides analysis and emphasis of Defendant's
4 allegations regarding the Court's oversight of fact, mistake of material fact, clear error, and
5 misapplication of law.
6

7 Ms. Roberts fails to acknowledge that parties may use unpublished opinion for persuasive
8 analysis of their claims according to NRAP 36. Additionally, parties may cite unpublished
9 opinions to establish law of the case.
10

11 Defendant is entitled to use *Amado* as persuasive authority. Additionally, upon Writ to the
12 Court of Appeals this matter will involve both the same party and nearly identical issues thereby
13 invoking the "law of the case" doctrine upon appeal.

14 Plaintiff's Counsel argues Defendant is attempting to delay progress on this case and it
15 somehow creates a hardship for her client. To the contrary, Defendant is injured by delay of the
16 case, but Defendant is required to seek relief simply to redress illegal and unethical actions of
17 Amanda Roberts and her known associates. In this matter Plaintiff has wrongfully refused
18 Defendant any visitation with the minor children since she had Defendant wrongfully arrested on
19 January 23, 2021. Defendant has shown up for visitation every Saturday since he was released
20 after wrongful arrest. Plaintiff has wrongfully refused visitation every time and Defendant has
21 been given a red card by responding officers each time. Defendant would love to be able to move
22 forward in this matter, however, moving forward with a Judge who would cause any reasonable
23 person to harbor doubts as to the questionable impartiality is not a reasonable alternative for
24 Defendant.
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27

28 NOTICE OF DEFENDANT'S OBJECTION TO PLAINTIFF'S EX PARTE APPLICATION FOR ORDER
SHORTENING TIME DATED 3-11-21 - 2

Additionally, Counsel for Plaintiff appears to have had ex parte communications with either Judge Bell or her court clerk in this matter. During the hearing Judge Bell acknowledged that the parties appeared to have dissolved the TPO, as the evidence provided in this matter proves conclusively. The charge has already been dropped, and the Court acknowledged the arrest was wrongful. However, upon information and belief, Amanda Roberts was in the ear of either Judge Bell or the Court Clerk as now the Decision and Order claims that Defendant violated the TPO. Interesting how this irrelevant fact that was not fully briefed for this hearing is now being found as fact by Judge Bell, who admitted during the hearing it's irrelevant to the issue at hand. But, Amanda Roberts knows her and her client are being sued regarding the wrongful arrest and she is attempting to gain any advantage regarding the facts of the case, including bringing her corrupt, unethical, and illegal tactics to this Department. If Judge Bell wrote the Decision and Order I would like to quote her and state I would expect better. If a clerk wrote the order and had undue influence from ex parte communications from Amanda Roberts, action should be taken against the Clerk. In either instance, the corruption is inexcusable.

As such Defendant notices his Objection to Plaintiff's Motion for Order Shortening Time which includes no analysis of exigent circumstances displaying the need to an Order Shortening Time. But rather, seems to be a quasi-opposition to Defendant's Motion for Reconsideration.

DATED this 12th day of March 2021.

BY: /s/ Bradley Bellisario
Bradley Bellisario
Plaintiff Pro Se
7100 Grand Montecito Pkwy, #2054
Las Vegas, NV 89149
T: 309.397.6734
E: bradb@bellisariolaw.com